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**A D D R E S S E S**  
**AND**  
**ORATIONS**  
**OF**  
**R U F U S C H O A T E.**  
"



**FOURTH EDITION.**

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## ADDRESSES AND ORATIONS.

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THE IMPORTANCE OF ILLUSTRATING NEW-ENGLAND HISTORY BY A SERIES OF ROMANCES LIKE THE WAVERLEY NOVELS.

DELIVERED AT SALEM, 1833.

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THE history of the United States, from the planting of the several Colonies out of which they have sprung, to the end of the war of the Revolution, is now as amply written, as accessible, and as authentic, as any other portion of the history of the world, and incomparably more so than an equal portion of the history of the origin and first ages of any other nation that ever existed. But there is one thing more which every lover of his country, and every lover of literature, would wish done for our early history. He would wish to see such a genius as Walter Scott, (*exoriatur aliquis*,) or rather a thousand such as he, undertake in earnest to illustrate that early history, by a series of romantic compositions, "in prose or rhyme," like the Waverley Novels, the Lay of the Last Minstrel, and the Lady of the Lake,—the scenes of which should be laid in North America, somewhere in the time before the Revolution, and the incidents and characters of which should be



selected from the records and traditions of that, our heroic age. He would wish at length to hear such a genius mingling the tones of a ravishing national minstrelsy with the grave narrative, instructive reflections, and chastened feelings of Marshall, Pitkin, Holmes, and Ramsay. He would wish to see him giving to the natural scenery of the New World, and to the celebrated personages and grand incidents of its earlier annals, the same kind and degree of interest which Scott has given to the Highlands, to the Reformation, the Crusades, to Richard the Lion-hearted, and to Louis XI. He would wish to see him clear away the obscurity which two centuries have been collecting over it, and unroll a vast, comprehensive, and vivid panorama of our old New-England lifetimes, from its sublimest moments to its minutest manners. He would wish to see him begin with the landing of the Pilgrims, and pass down to the war of Independence, from one epoch and one generation to another, like Old Mortality among the graves of the unforgotten faithful, wiping the dust from the urns of our fathers, — gathering up whatever of illustrious achievement, of heroic suffering, of unwavering faith, their history commemorates, and weaving it all into an immortal and noble national literature, — pouring over the whole time, its incidents, its actors, its customs, its opinions, its moods of feeling, the brilliant illustration, the unfading glories, which the fictions of genius alone can give to the realities of life.

For our lawyers, politicians, and for most purposes of mere utility, business, and intellect, our history now perhaps unfolds a sufficiently “ample page.”

But, I confess, I should love to see it assume a form in which it should speak directly to the heart and affections and imagination of the whole people. I should love to see by the side of these formidable records of dates, and catalogues of British Governors, and Provincial acts of Assembly, — these registers of the settlement of towns, and the planting of churches, and convocation of synods, and drawing up of platforms, — by the side of these austere and simply severe narratives of Indian wars, English usurpations, French intrigues, Colonial risings, and American independence ; — I should love to see by the side of these great and good books about a thousand neat duodecimos of the size of *Ivanhoe*, *Kenilworth*, and *Marmion*, all full of pictures of our natural beauty and grandeur, — the still richer pictures of our society and manners, — the lights and shadows of our life, — full of touching incidents, generous sentiments, just thoughts, beaming images, such as are scattered over every thing which Scott has written, as thick as stars on the brow of night, and give to every thing he has written that imperishable, strange charm, which will be on it and embalm it for ever.

Perhaps it is worthy even of your consideration, whether this is not a judicious and reasonable wish. I propose, therefore, as the subject of a few remarks, this question : — Is it not desirable that a series of compositions of the same general character with the novels and poems of Scott, and of equal ability, should be written in illustration of the history of the North-American United States prior to the peace of 1783 ?

I venture to maintain *first*, that such works as these would possess a very high historical value. They

would be valuable for the light they would shed upon the first one hundred and fifty years of our Colonial existence. They would be valuable as helps to history, as contributions to history, as real and authoritative documents of history. They would be valuable for the same reason that the other, more formal and graver records of our history are so, if not quite in the same degree.

To make this out, it may be necessary to pause a moment and analyze these celebrated writings, and inquire what they contain, and how they are made up. It is so easy to read Scott's Novels that we are apt to forget with how much labor he prepared himself to *write* them. We are imposed on, startled perhaps, by the words novel and poem. We forget that any one of them is not merely a brilliant and delightful romance, but a deep, well-considered, and instructive essay on the manners, customs, and political condition of England or Scotland, at the particular period to which it refers. Such is the remark of a foreign critic of consummate taste and learning, and it is certainly just. Let us reverently attempt to unfold the process — to indicate the course of research and reflection — by which they are perfected, and thus to detect the secret not so much of their extraordinary power and popularity as of their historical value.

He selects then, I suppose, (I write of him as living; for though dead, he still speaks to the whole reading population of the world,) *first*, the country in which he will lay the scenes of his action, — Scotland, perhaps, or merry England, or the beautiful France. He marks off the portions of that country within which the leading incidents shall be

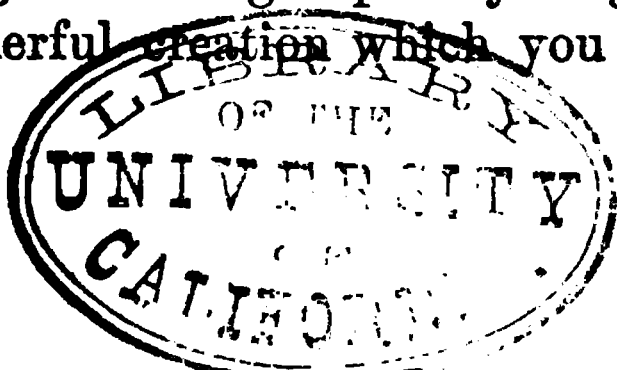
transacted, as a conjurer draws the charmed circle with his wand on the floor of the Cave of Magic. Then he studies the topography of the region — its scenery, its giant mountains, its lakes, glens, forests, falls of water — as minutely as Malté Brun or Humboldt; but choosing out with a poet's eye, and retaining with a poet's recollection, the grand, picturesque, and graceful points of the whole transcendent landscape. Then he goes on to collect and treasure up the artificial, civil, historical features of the country. He explores its antiquities, becomes minutely familiar with every city and castle and cathedral which still stands, and with the grander ruins of all which have fallen, — familiar with every relic and trace of man and art, — down even to the broken cistern which the Catholic charity of a former age had hewn out by the way-side for the pilgrim to drink in. He gathers up all the traditions and legendary history of the place, — every story of "hopeless love, or glory won," — with the time, the spot, the circumstances, as particularly and as fondly as if he had lived there a thousand years. He selects *the age* to which his narrative shall refer, — perhaps that of Richard or Elizabeth, or Charles II., or of the rebellion of 1745; and forthwith engages in a deep and discursive study of its authentic history and biography, — its domestic and foreign politics; the state of parties; the character and singularities of the reigning king and his court, and of the prominent personages of the day; — its religious condition, the wars, revolts, revolutions, and great popular movements; all the predominant objects of interest and excitement, and all which made up the public and out-of-door life and

history of that particular generation. He goes deeper still;—the state of society; the manners, customs, and employments of the people; their dress, their arms, and armor; their amusements; their entire indoor and domestic life; the rank and accomplishments of the sexes respectively; their relations to each other; the extent of their popular and higher education; their opinions, superstitions, morals, jurisprudence, and police,—all these he investigates as earnestly as if he were nothing but an antiquarian, but with the liberal, enlightened, and tolerant curiosity of a scholar, philosopher, philanthropist, who holds that man is not only the most proper but most delightful study of man. Thus thoroughly furnished, he chooses an affecting incident, real or imaginary, for his ground-work, and rears upon it a composition,—which the mere novel reader will admire for its absorbing narrative and catastrophe; the critic for its elegant style, dazzling poetry, and elaborate art; the student of human nature for its keen and shrewd views of man—“for each change of many-colored life he draws;” the student of history for its penetrating development and its splendid, exact, and comprehensive illustration of the spirit of one of the marked ages of the world. And this is a Waverley Novel!

Perhaps I am now prepared to restate and maintain the general position which I have taken,—that a series of North-American or New-England Waverley Novels would be eminently valuable auxiliaries to the authoritative written history of New England and of North America.

In the *first* place, they would embody, and thus

would fix deep in the general mind and memory of the whole people, a vast amount of positive information quite as authentic and valuable and curious as that which makes up the matter of professed history, but which the mere historian does not and cannot furnish. They would thus be not substitutes *for* history, but supplements to it. Let us dwell upon this consideration for a moment. It is wonderful, when you think closely on it, how little of all which we should love to know, and ought to know, about a former period and generation, a really standard history tells us. From the very nature of that kind of composition it must be so. Its appropriate and exclusive topics are a few prominent, engrossing, and showy incidents, — wars, — conquests, — revolutions, — changes of dynasties, — battles and sieges, — the exterior and palpable manifestations of the workings of the stormy and occasional passions of men moving in large masses on the high places of the world. These topics it treats instructively and eloquently. But what an inadequate conception does such a book give you of the time, the country, and the people to which it relates! What a meagre, cold, and unengaging outline does it trace; and how utterly deficient in minute, precise, and circumstantial, and satisfactory information! How little does it tell you of the condition and character of the great body of the people, — their occupations, — their arts and customs, — their joys and sorrows! — how little of the origin, state, and progress of opinions, and of the spirit of the age! — how misty, indistinct, and tantalizing are the glimpses you gain of that old, fair, wonderful creation which you long to explore!



It is like a vast landscape painting in which nothing is represented but the cloven summit and grand sweep of the mountain, — a portion of the sounding shore of the illimitable sea, — the dim distant course of a valley, traversed by the Father of Rivers two thousand miles in length, — and which has no place for the enclosed corn-field, — the flocks upon a thousand hills, — the cheerful country-seat, — the village spires, — the church-yard, — the vintage, — the harvest-home, — the dances of peasants, — and the Cotter's Saturday night!

Now, the use, one use, of such romances as Scott's, is to supply these deficiencies of history. Their leading object, perhaps, may be to tell an interesting story with some embellishments of poetry and eloquence and fine writing and mighty dialogue. But the plan on which they are composed requires that they should interweave into their main design a near, distinct and accurate, but magnified and ornamental view of the times, people, and country to which that story goes back. They are, as it were, telescope, microscope, and kaleidoscope all in one, if the laws of optics permit such an illustration. They give you the natural scenery of that country in a succession of landscapes fresh and splendid as any in the whole compass of literature, yet as topographically accurate as you will find in any geography or book of travels. They cause a crowded but exact and express image of the age and society of which they treat to pass before you as you see Moscow or Jerusalem or Mexico in a showman's box. They introduce genuine specimens, — real living men and women of every class and calling in society, as it

was then constituted, and make them talk and act in character. You see their dress, their armor, and their weapons of war. You sit at their tables,—you sleep under their roof-tree,—you fish, hunt, and fowl with them. You follow them to their employments in field, forest, and workshop,—you travel their roads,—cross their rivers,—worship with them at church,—pledge them at the feast, and hear their war-cry in battle, and the coronach which announces and laments their fall. Time and space are thus annihilated by the power of genius. Instead of reading about a past age, you live in it. Instead of looking through a glass darkly at vast bodies in the distance,—at the separate, solitary glories of a sky beyond your reach,—wings as of the morning are given you; you ascend to that sky and gaze on their unveiled present glories. It is as if you were placed in the streets of a city buried 1800 years ago by the lava of a volcano, and saw it suddenly and completely disinterred, and its whole, various population raised in a moment to life,—in the same attitudes, clothed upon with the same bodies, wearing the same dresses, engaged in the same occupations, and warmed by the same passions, in which they perished! It would carry me too far to illustrate these thoughts by minute references to all Scott's poetry and romances, or to attempt to assort the particulars and sum up the aggregate of the real historical information for which we are indebted to that poetry and those romances. Go back, however, at random, to the age of Richard of the Lion Heart,—the close of the twelfth century, the era of chivalry, the Crusades, and almost of Magna Charta. Read of it first



in the acute and elegant Hume and the laborious Lingard; and then open the splendid romance of Ivanhoe and see, not which most interests you, but which relates most vividly, most minutely, and most completely, the authentic history of the England of that troubled yet glorious day. The character and peculiarities of the chivalrous Richard, — his physical strength, — his old English good-nature and companionable and convivial qualities and practices, — his romantic love of adventure and peril, and of the rapture of battle (*certaminis gaudia*) relieved and softened by his taste for troubadour music and song, — the cold, jealous, timid temper of his brother John, at once an ambitious usurper and an unprincipled voluptuary, — the intriguing politics of his court, — his agency in procuring Richard's long imprisonment in Germany, and his sudden start of terror on hearing of his escape and return to England to claim his throne, — the separation of the English people of that era into two great distinct and strongly marked races, the Saxon and the Norman, — the characteristic traits and employments of each, — the relations they sustained to each other, — their mutual fear, hatred, and suspicion, — the merry lives of Robin Hood and his archers in the forest, — the pride and licentiousness of the bold Norman barons, and the barbaric magnificence of their castles, equipage, and personal decoration, — the contrasted poverty and dignified sorrow of the fallen Saxon chiefs, — the institutions and rites of a still gorgeous but waning chivalry, — the skilful organization, subtle policy, and imposing exterior of the order of the Templars, — the pride, pomp, and circumstance of the gilded

and sounding era of the Crusades,—these topics, this information,—not the well-feigned fortunes of Isaac, Rebecca, Athelstane, Wilfred,—give to the surpassing poetry and painting of this unequalled romance a permanent and recognized historical value, and entitle it to a place upon the same shelf with the more exclusive and pretending teachers of English history.

Let me remind you that Scott is not the only writer of romance who has made his fiction the vehicle of authentic and useful information concerning the past, and thus earned the praise of a great historian. Let me remind you of another instance, the most splendid in literature. The Iliad and Odyssey of Homer,—what are they but great Waverley Novels! And yet what were our knowledge of the first 400 years of Grecian history without them! Herodotus, the father of history, devotes about twenty-five duodecimo lines to the subject of the Trojan Wanderer; and without meaning any disrespect to so revered a name,—so truly valuable a writer,—I must say that this part of his narrative is just about as interesting and instructive as an account in a Castine newspaper, that in a late, dark night a schooner from Eastport got upon Mt. Desert Rock, partly bilged, but that no lives were lost, and there was no insurance. Unroll now, by the side of this, the magnificent cartoons on which Homer has painted the heroic age of the bright clime of Battle and of Song! Abstracting your attention for a moment from the beauty and grandeur and consummate art of these compositions,—just study them for the information they embody. We all know that critics

have deduced the rules of epic poetry from these inspired models; and Horace tells us that they are better teachers of morality than the Stoic doctors, — Chrysippus and Crates. But what else may you learn from them? The ancient geography of Greece, — the number, names, localities, and real or legendary history of its tribes, — the condition of its arts, trades, agriculture, navigation, and civil policy, — its military and maritime resources, — its manners and customs, — its religious opinions and observances, and mythology and festivals; — this is the information for which we are indebted to an old wandering, blind harper, — just such another as he who sang the Lay of the Last Minstrel to the ladies of Newark Castle. This is the authority on which Potter has compiled his *Antiquities*, and Mitford the first three chapters of his *History*. And surely, to use the words of an elegant writer, surely “such an apocalypse of life” — its energetic passions, its proud desires, its quiet enjoyments, its sincere affections, its wasting griefs, its towering course and mournful end — “was never communicated by another human imagination.”

It is time now to turn to our early history, and consider more directly in what way and to what extent *our* Iliad and Odyssey, and Ivanhoe and Kenilworth, when they come to be written, will help to illustrate and to complete and to give attraction to that history. Select then, for this purpose, almost at random, any memorable event or strongly marked period in our annals. King Philip's War is as good an illustration as at this moment occurs to me. What do our historians tell us of that war? and of New

England during that war? You will answer substantially this: It was a war excited by Philip,—a bold, crafty, and perfidious Indian chief dwelling at Bristol, in Rhode Island,—for the purpose of extirpating or expelling the English colonists of Massachusetts, Plymouth, Connecticut, and New Haven. It began in 1675 by an attack on the people of Swanzey, as they were returning on Sunday from meeting. It ended in August, 1676, at Mount Hope by the death of Philip, and the annihilation of his tribe. In the course of these two years he had succeeded in drawing into his designs perhaps fifteen or twenty communities of Indians, and had at one time and another, perhaps, eight or ten thousand men in arms.

The scenes of the war shifted successively from Narraganset Bay to the northern line of Massachusetts in the valley of the Connecticut River. But there was safety nowhere; there was scarcely a family of which a husband, a son, a brother, had not fallen. The land was filled with mourning. Six hundred dwelling-houses were burned with fire. Six hundred armed young men and middle-aged fell in battle; as many others, including women and children, were carried away into that captivity so full of horrors to a New-England imagination; the culture of the earth was interrupted; the prayers, labors, and sufferings of half a century were nearly for ever frustrated.

Such is about the whole of what history records, or rather of what the great body of our well-educated readers know, of the New England of 1675, and of the severest and most interesting crisis through

which, in any epoch, the colony was called to pass. Now, I say, commit this subject — King Philip's War — to Walter Scott, the poet, or the novelist, and, you would see it wrought up and expanded into a series of pictures of the New England of that era, — so full, so vivid, so true, so instructive, so moving, that they would grave themselves upon the memory, and dwell in the hearts of our whole people for ever. How he would do this, — precisely what kinds of novels and poems he would write, —

“What drugs, what charms,  
What conjuration, and what mighty magic”

he would deal in to effect this purpose, it would be presumptuous in me to venture fully to explain. Some imperfect and modest conjectures upon this point, however, I hope you will excuse.

In the first place, he would collect and display a great many particulars of positive information concerning these old times, either not contained at all in our popular histories, or not in a form to fix the attention of the general reader. He would spread out before you the external aspects and scenery of that New England, and contrast them with those which our eyes are permitted to see, but which our fathers died without beholding. And what a contrast! The grand natural outline and features of the country were indeed the same then as now, and are so yesterday, to-day, and always. The same waves dashed high upon the same “stern and rock-bound coast;” the same rivers poured their sweet and cheerful tides into the same broad bay; the same ascending succession of geological formations,

—the narrow, sandy belt of sea-shore and marsh and river intervals,—the wider level of upland,—the green or rocky hill,—the mountain baring its gray summit to the skies,—met the eye then as now; the same east wind chilled the lingering spring; the same fleecy clouds, bland south-west, yellow and crimson leaf, and insidious disease, waited upon the coming in of autumn. But how was it in that day with those more characteristic, changeful, and interesting aspects which man gives to a country? These ripened fruits of two hundred years of labor and liberty; these populous towns; this refined and affluent society; these gardens, orchards, and corn-fields; these manufactories and merchant-ships,—where were they then? The whole colonial population of New England, including Massachusetts, Plymouth, Connecticut, New Haven, Maine, New Hampshire, at the breaking out of that war, has been variously estimated at from 40,000 to 120,000. I suppose that 80,000 may be a fair average of these estimates,—a little less than the present population of the single county of Essex. They were planted along the coast from the mouth of the Kennebec to New Haven, upon a strip of country of a medium width, inwards from the sea, of forty or fifty miles,—a great deal of which, however, was still wholly unreclaimed to cultivation, and much of it still occupied by its original and native owners. This belt of sea-coast—for it was no more than that—was the New England of 1675. Within this belt, and up the interval land of some of the rivers—the Merrimack, the Charles, the Connecticut—which passed down through it to the sea, a few settlements had

been thrown forward ; but, as a general fact, the whole vast interior to the line of New York, Vermont, and Lower Canada, including in Massachusetts a part of the counties of Essex, Middlesex, Worcester, Old Hampshire, Berkshire, was a primeval wilderness, beneath whose ancient shadow a score of Indian tribes maintained their fires of war and council, and observed the rites of that bloody and horrible Paganism which formed their only religion.

On this narrow border were stretched along the low wooden houses with their wooden chimneys ; the patches of Indian corn crossed and enclosed by the standing forest ; the smooth-shaven meadow and salt marsh ; the rocky pasture of horses, sheep, and neat cattle ; the fish-flakes, lumber-yards, the fishing boats and coasting shallops ; West India and Wine Islands merchant-ships ; the meeting-houses, wind-mills, and small stockade forts, — which made up the human, artificial, and visible exterior of the New England of that era. Altogether the whole scene, in its natural and in its cultivated elements, was in exact keeping with the condition and character and prospects of that generation of our ancestors. It was the dwelling place of the Pilgrims, and of the children of the Pilgrims. There lay — covered over as it were, partially sheltered, yet not wholly out of danger, like the sowing of a winter grain — the germs of this day's exceeding glory, beauty, and strength. There rose, plain, massive, and deep-set, the basement stories of our religious, civil, and literary institutions, beaten against and raged around by many a tempest and many a flood, — yet not falling, for their foundation was a rock. Fifty years of

continual emigration from England, and of general peace and general health, had swelled the handful of men who came passengers in *The Mayflower* to Plymouth, and in *The Abigail* to Salem, and in *The Arbella* to Boston, into an infant people. Independence of the mother country had hardly yet entered the waking or sleeping dreams of any man; but, as against all the world besides, they had begun to utter the language, put on the habits, and assume the port, of a nascent and asserted sovereignty and national existence. Some portion of the great work which they were sent hither to do they had already done. They had constructed a republican, representative government. They had made provision for the mental and moral culture of the rising nation. Something of the growth of a half-century of industry, — “immature buds, blossoms fallen from the tree, and green fruit,” — were beginning to gladden the natural and the moral prospect. Still the general aspect of the scenery of that day, even if surveyed from one of those eminences which now rise in so much beauty around Boston, would have seemed to the senses and imagination of a beholder wild, austere, and uninviting. The dreams of some of the sanguine, early settlers were by this time finished. It had been discovered by this time that our soil contained neither gold nor silver, and that although we could purchase very good wine at Fayal or Madeira, with the proceeds of the fish we sold at Bilboa, we were not likely to quite rival Hungary, as Master Grave, the engineer, in 1629, thought we should in the domestic article. The single damask rose grew wild by the walls, as Mr. Higginson says



it did in his time ; but all felt by the year 1675 that it was, on the whole, a somewhat ungenial heaven beneath which their lot was cast, yielding nothing to luxury and nothing to idleness, but yet holding out to faith, to patience, and labor, freedom and public and private virtue, the promise of a latter day far off of glory, honor, and enjoyment. Every thing around you spoke audibly to the senses and imagination of toil and privation, of wearisome days and sleepless nights, of serious aims, grave duties, and hope deferred without making the heart sick. You looked upon the first and hardest conflicts of civilized man with unreclaimed nature and uncivilized man. You saw all around you the blended antagonist manifestations and insignia of a divided empire. Indian wigwams and the one thousand houses of Boston sent up their smoke into the same sky. Indian canoes and the fishing and coasting craft and merchantmen, loading for Spain and Africa and the West Indies, floated upon the same waters. English grain and grasses grew among the blackened stumps of the newly fallen forest. Men went armed to their fields, to meeting, and to bring home their brides from their father's house where they had married them. It was like the contest of Winter and Spring described by Thomson, or like that of the good and evil principle of the Oriental superstitions ; and it might at first seem doubtful which would triumph. But when you contemplated the prospect a little more closely, — when you saw what costly and dear pledges the Pilgrims had already given to posterity and the new world, — when you saw the fixtures which they had settled into and incorporated with

its soil, the brick college at Cambridge, and the meeting-houses sending up their spires from every clearing,—when you surveyed the unostentatious but permanent and vast improvements which fifty years had traced upon the face of that stern and wild land, and garnered up in its bosom,—when you looked steadfastly into the countenances of those men, and read there that expression of calm resolve, high hope, and fixed faith,—when you heard their prayers for that once pleasant England as for a land they no longer desired to see; for the new world, now not merely the scene of their duties but the home of their heart's adoption,—you would no longer doubt that, though the next half-century should be, as it proved, a long, bloody warfare,—though the mother country should leave them, as she did, to contend single-handed with Indians, French, and an unpropitious soil and sky,—though acts of navigation and boards of trade should restrain their enterprise and rob it of its rewards,—that their triumph was still certain, and a later generation would partake of its fruits and be encompassed about by its glory. A thousand instructive particulars would be collected by such an antiquarian as the author of *Old Mortality*, serving to illustrate the employments, customs, and character of this portion of our ancestors, and embodied in such a form as to become permanently a part of the current knowledge of an educated people. The industry of New England in 1675 had taken almost all the great leading directions in which it afterwards exerted itself with such splendid success. There were then nearly five hundred fishing vessels, large and small, in the four

colonies. The export of fish to the north of Spain, to Fayal and Madeira, and of lumber, pipe-staves, provisions, naval stores, and neat cattle, to the West Indies, and the import of wines and West India goods employed from one to two hundred vessels more, of a larger rate, built and owned in New England. The principal import of British goods was to Boston, whence they were shipped coastwise to Maine, Hartford, and New Haven. Linen, woollen, and cotton cloth, glass, and salt, to some extent, were manufactured in Massachusetts. The flax was all raised here; the wool chiefly; the cotton was imported. The equality of fortunes was remarkable even for that age of simple habits, and general industry and morality. There were only fifteen or twenty merchants worth five hundred pounds each; and there were no beggars. The most showy mansion contained no more than twenty rooms; but the meanest cottage had at least two stories, — a remarkable improvement since 1629, when the house of the Lady Moody, a person of great consideration in Salem, is said to have been only nine feet high, with a wooden chimney in the centre. Governor Winthrop says in his Journal, that he spent in the years he was governor five hundred pounds per annum, of which two hundred pounds — not seven hundred dollars — would have maintained him in a private condition. There were no musicians by trade; a dancing-school was attempted, but failed. But a fencing-school in Boston succeeded eminently; we all know that fencing, without foils or tuition-fees, was the daily and nightly exercise of the youth and manhood of the colonies for half the first century of

their existence. • It is strikingly characteristic of our fathers of that day of labor, temperate habits, and austere general morality, that a synod convened in 1679 to inquire what crying sin of practice or opinion had brought down the judgment of God on the colonies ascribed it very much to the intemperate and luxurious habits of what they deemed a backsliding and downward age. Hubbard reckons among the moral causes of that war the pride, intemperance, and worldly-mindedness of the people; and another writer of that day denounces with most lachrymose eloquence the increasing importations of wine, threatening the Ararat of the Pilgrims with a new kind of deluge.

This last writer reminds us of a story which John Wilkes, I think, tells in Boswell's Johnson, that he once attended a Sunday meeting in the interior of Scotland when the preacher declaimed most furiously, for an hour, against luxury, although, said Wilkes, there were not three pairs of shoes in the whole congregation!

There are two or three subjects, among a thousand others of a different character, connected with the history of New England in that era, which deserve, and would reward, the fullest illustration which learning and genius and philosophy could bestow. They have been treated copiously and ably; but I am sure that whoso creates the romantic literature of the country will be found to have placed them in new lights, and to have made them for the first time familiar, intelligible, and interesting to the mass of the reading community.

Let me instance as one of these the *old Puritan*

*character.* In every view of it, it was an extraordinary mental and moral phenomenon. The countless influences which have been acting on man ever since his creation, — the countless variety of condition and circumstances, of climate, of government, of religion, and of social systems in which he has lived, never produced such a specimen of character as this before, and never will do so again. It was developed, disciplined, and perfected for a particular day and a particular duty. When that day was ended and that duty done, it was dissolved again into its elements, and disappeared among the common forms of humanity, apart from which it had acted and suffered, — above which it had towered, yet out of which it had been by a long process elaborated. The *human* influences which combined to form the Puritan character from the general mind of England, — which set this sect apart from all the rest of the community, and stamped upon it a system of manners, a style of dress and salutation and phraseology, a distinct, entire scheme of opinions upon religion, government, morality, and human life, marking it off from the crowds about it, as the fabled waters of the classical fountain passed underneath the sea, unmingled, unchanged in taste or color, — these things are matters of popular history, and I need not enumerate or weigh them. What was the *final* end for which the Puritans were raised up, we also in some part all know. All things here in New England proclaim it. The works which they did, these testify of them and of the objects and reality of their mission, and they are inscribed upon all the sides of our religious, political, and literary edifices, legibly and imperishably.

But while we appreciate what the Puritans have done, and recognize the divine wisdom and purposes in raising them up to do it, something is wanting yet to give to their character and fortunes a warm, quick interest, a charm for the feelings and imagination, an abiding-place in the heart and memory and affections of all the generations of the people to whom they bequeathed these representative governments and this undefiled religion. It is time that literature and the arts should at least coöperate with history. Themes more inspiring or more instructive were never sung by old or modern bards in hall or bower. The whole history of the Puritans, — of that portion which remained in England and plucked Charles from his throne and buried crown and mitre beneath the foundations of the Commonwealth, and of that other not less noble portion which came out hither from England, and founded a freer, fairer, and more enduring Commonwealth — all the leading traits of their religious, intellectual, and active character, their theological doctrines, their superstitions, their notions of the divine government and economy, and of the place they filled in it, — every thing about them, every thing which befell them, — was out of the ordinary course of life ; and he who would adequately record their fortunes, display their peculiarities, and decide upon their pretensions, must, like the writer of the Pentateuch, put in requisition alternately music, poetry, eloquence, and history, and speak by turns to the senses, the fancy, and the reason of the world.

They were persecuted for embracing a purer Protestantism than the Episcopacy of England in the age of Elizabeth. Instead of ceasing to be Protestants,

persecution made them republicans, also. They were nicknamed Puritans by their enemies; then afterward they became a distinct, solitary caste, — *among*, but not of, the people of England. They were flattered, they were tempted, they were shut up in prison, they were baptized with the fire of martyrdom. Solicitation, violence, were alike unavailing, except to consolidate their energies, perfect their virtues, and mortify their human affections, — to raise their thoughts from the kingdoms and kings of this world, and the glory of them, to the contemplation of that surpassing glory which is to be revealed. Some of them at length, not so much because these many years of persecution had wearied or disheartened them, as because they saw in it an intimation of the will of God, sought the freedom which there they found not, on the bleak sea-shore and beneath the dark pine-forest of New England. History, fiction, literature, does not record an incident of such moral sublimity as this. Others, like Æneas, have fled from the city of their fathers after the victor has entered and fired it. But the country they left was peaceful, cultivated, tasteful, merry England. The asylum they sought was upon the very outside of the world. Others have traversed seas as wide, for fame or gold. Not so the Puritans.

“Nor lure of conquest’s meteor beam,  
Nor dazzling mines of fancy’s dream,  
Nor wild adventure’s love to roam,  
Brought from their fathers’ ancient home,  
O’er the wide sea, the Pilgrim host.”

It was fit that the founders of our race should have been such men, — that they should have so labored

and so suffered, — that their tried and strenuous virtues should stand out in such prominence and grandeur. It will be well for us when their story shall have grown “familiar as a household word,” when it shall make even your children’s bosoms glow and their eyes glisten in the ballad and nursery-tale, and give pathos and elevation to our whole higher national minstrelsy.

There is another subject connected with our early history eminently adapted to the nature and purposes of romantic literature, and worthy to be illustrated by such a literature, — that is, the condition, prospects, and fate of the New England tribes of Indians at the epoch of Philip’s War. It has sometimes been remarked as a matter of reproach to a community, that it has suffered its benefactors to perish of want, and then erected statues to their memory. The crime does not lie in erecting the statue, but in having suffered the departed good and great, whom it commemorates, to perish. It has been our lot in the appointments of Providence to be, innocently or criminally, instruments in sweeping from the earth one of the primitive families of man. We build our houses upon their graves; our cattle feed upon the hills from which they cast their last look upon the land, pleasant to them as it is now pleasant to us, in which through an immemorial antiquity their generations had been dwelling. The least we can do for them, for science and letters, is to preserve their history. This we have done. We have explored their antiquities, studied and written their language and deduced its grammar, recorded their traditions, traced their wanderings, and embodied in one form or an-



other their customs, their employments, their superstitions, and their religious belief. But there is in this connection one thing which, perhaps, poetry and romance can alone do, or can best do. It is to go back to the epoch of this war, for example, — paint vividly and affectingly the condition of the tribes which then wandered over, rather than occupied, the boundless wilderness extending from the margin of sea-coast covered by the colonists to the line of New York and Canada. The history of man, like the roll of the Prophet, is full, within and without, of mourning, lamentation, and woe; but I do not know that in all that history there is a situation of such mournful interest as this.

The terrible truth had at length flashed upon the Indian chief, that the presence of civilization, even of humane, peaceful, and moral civilization, was incompatible with the existence of Indians. He comprehended at length the tremendous power which knowledge, arts, law, government, confer upon social man. He looked in vain to the physical energies, the desperate, random, uncombined, and desultory exertions, the occasional individual virtues and abilities of barbarism, for an equal power to resist it. He saw the advancing population of the Colonies. He saw ship-loads of white men day after day coming ashore from some land beyond the sea, of which he could only know that it was over-peopled. Every day the woodman's axe sounded nearer and nearer. Every day some valuable fishing or hunting-ground, or corn-land, or meadow, passed out of the Indian possession, and was locked up for ever in the mortmain grasp of an English title. What then, where

then, was the hope of the Indian? Of the tribes far off to the East, — the once terrible Tarrateens, — they had no knowledge, but more dread than of the English themselves. The difficulty of communication, the diversity of languages, the want of a press, the unsocial habits and policy of all nomadic races, made alliances with the Five Nations in New York — with any considerable tribe out of New England — impracticable. Civilization, too, was pushing its prow up the Hudson, even more adventurously than upon the Connecticut and Charles, the Merrimack, the Piscataqua, and the Kennebec. They were encompassed about as by the embrace of a serpent, contracting its folds closer at every turn and struggle of its victim, and leisurely choosing its own time to crush him to death. Such were the condition and prospects of the Indians of New England at the beginning of Philip's War.

It is doubtful if that celebrated chief intended to provoke such a war, or if he ever anticipated for it a successful issue. But there is no doubt that after it had begun he threw his whole great powers into the conduct of it, — that he formed and moved a confederacy of almost all the aborigines of New England to its support, — that he exhausted every resource of bravery and Indian soldiership and statesmanship, — that he died at last for a land and for a throne which he could not save. Our fathers called him King Philip, in jest. I would not wrong his warrior-shade by comparing him with any five in six of the kings of Europe, of his day or ours; and I sincerely wish that the elaborate jests and puns put forth by Hubbard and Mather upon occasion of his death were erased from the records of New England.

In the course of this decisive struggle with the Colonists, the Indians, some time when all human help seemed to fail, turned in anger and despair to the gods of their gloomy and peculiar worship. Beneath the shades of the forest, which had stood from the creation,—at the entrance of caverns at midnight,—in tempest and thunder,—they shed the human blood and uttered the incantations which their superstitions prescribed, and called up the spirits of evil to blast these daring strangers who neither feared, nor honored, nor recognized the ancient divinities of the Indians. The spirits they had raised abandoned them. Their offering was not accepted,—their fires of sacrifice were put out. The long, dreary sigh of the night wind in the tops of the pines alone answered their misguided and erring prayers. Then they felt that their doom was sealed, and the cry—piercing, bitter, and final—of a perishing nation arose to heaven!

Let me solicit your attention to another view of this subject. I have urged thus far, that our future Waverley Novels and poetry would contain a good deal of positive information which our histories do not contain,—gleanings, if you please, of what the licensed reapers have, intentionally or unintentionally, let fall from their hands; and that this information would be authentic and valuable. I now add, that they would have another use. They would make the information which our histories do contain more accessible and more engaging to the great body of readers, even if they made no addition to its absolute quantity. They would melt down, as it were, and stamp the heavy bullion into a convenient, uni-

versal circulating medium. They would impress the facts, the lessons of history, more deeply, and incorporate them more intimately into the general mind and heart, and current and common knowledge of the people.

All history, all records of the past, of the acts, opinions, and characters of those who have preceded us in the great procession of the generations, is full of instruction, and written for instruction. Especially may we say so of our own history. But, of all which it teaches, its moral lessons are, perhaps, the most valuable. It holds up to our emulation and love great models of patriotism and virtue. It introduces us into the presence of venerated ancestors, "of whom the world was not worthy." It teaches us to appreciate and cherish this good land, these free forms of government, this pure worship of the conscience, these schools of popular learning, by reminding us through how much tribulation, not our own, but others, these best gifts of God to man have been secured to us. It corrects the cold selfishness which would regard ourselves, our day, and our generation, as a separate and insulated portion of man and time; and, awakening our sympathies for those who have gone before, it makes us mindful, also, of those who are to follow, and thus binds us to our fathers and to our posterity by a lengthening and golden cord. It helps us to realize the serene and august presence and paramount claims of our country, and swells the deep and full flood of American feeling.

Such are some of the moral influences and uses of our history. Now, I say that he who writes the ro

mance of history, as Scott has written it, shall teach these lessons, and exert and diffuse these influences, even better than he who confines himself to what I may call the reality of history. In the first place, he could make a more select and discriminating choice of incidents and characters and periods of time. There is a story told of an epicure who never would eat more than one mouthful out of the sunny side of the peach. That is about the proportion, about the quality, of all which Scott culls out of history.

Much of what history relates produces no impression upon the moral sentiments or the imagination. Much of it rather chills, shames, and disgusts us, than otherwise. Throughout it is constantly exciting a succession of discordant and contradictory emotions, — alternate pride and mortification, alternate love and anger, alternate commendation and blame. The persecutions of the Quakers, the controversies with Roger Williams and Mrs. Hutchinson, the perpetual synods and ecclesiastical surveillance of the old times; a great deal of this is too tedious to be read, or it offends and alienates you. It is truth, fact; but it is just what you do not want to know, and are none the wiser for knowing. Now, he who writes the romance of history takes his choice of all its ample but incongruous material. "Whatsoever things are honest, whatsoever things are just, whatsoever things are pure, whatsoever things are lovely, whatsoever things are of good report, if there be any virtue and if there be any praise," — these things alone he thinks of and impresses. In this sense he accommodates the show of things to the

desires and the needs of the immortal, moral nature. To vary a figure of Milton's, instead of crowding his net, as Time crowds his, with all things precious and vile, — bright gems, sea-weed mixed with sand, bones of fishes, — he only dives for and brings up coral and pearl, and shells golden-valved and rainbow-colored, murmuring to the ear like an Æolian harp. He remembers that it is an heroic age to whose contemplation he would turn us back ; and as no man is a hero to his servant, so no age is heroic of which the whole truth is recorded. He records the useful truth therefore, only, — gathering only the wheat, wine, and oil into his garner, — leaving all the rest to putrefy or be burned.

But farther. Such a writer as I am supposing is not only privileged to be more select and felicitous in his topics, his incidents, characters, and eras, but he treats these topics differently, and in a way to give ten thousand-fold more interest and impressiveness to all the moral lessons they are adapted to teach. He tells the truth, to be sure ; but he does not tell the whole truth, for that would be sometimes misplaced and discordant. He tells something more than the truth, too, remembering that though man is not of imagination *all compact*, he is yet, in part, a creature of imagination, and can be reached and perfected by a law of his nature in part only through the imagination. He makes the imagination, therefore, he makes art, wit, eloquence, philosophy, and poetry, invention, a skilful plot, a spirited dialogue, a happy play, balance and rivalry of characters, — he makes all these contribute to embellish and recommend that essential, historical truth which is as

the nucleus of the whole fair orb. Thus he gives a vividness, individuality, nearness, magnitude, to the remotest past, which hardly belongs to the engrossing and visible present, and which history gives to nothing. The Richard of Scott in his general character and principal fortunes, in his chronology and geography, so to speak, is the Richard of history. But the reason you know him better is this: the particular situations in which you see him in *Ivanhoe* and the Crusaders, the conversations he holds, his obstreperous contest of drink and music with the holy clerk in the cell, that more glorious contest with the traitors in the wood, with the Normans in the castle, the scene in his tent in which he was so nearly assassinated, and that in Saladin's tent where he challenged him in all love and honor to do mortal battle for the possession of Jerusalem, — these are all supplied by the imagination of the writer to the imagination of the reader. Probably they all happened just as they are set forth; but you can't exactly prove it out of any book of history. They are all probable; they are exactly consistent with what we do know and can prove. But the record is lost by time and accident. They lie beyond the province of reason; but faith and imagination stretch beyond that province, and complete the shadowy and imperfect revelation. History shows you prospects by starlight, or at best by the waning moon. Romantic fiction, as Scott writes it, does not create a new heaven and a new earth; but it just pours the brightness of noonday over the earth and sky. He shows you the same prospect which history does. But he shows it from a different point of view, and

through a brighter, more lustrous medium, and by a more powerful optical instrument. Some things which history would show, you do not see. But you see the best of every thing, — all that is grand and beautiful of Nature, all that is brilliant in achievement, all that is magnanimous in virtue, all that is sublime in self-sacrifice; and you see a great deal more of which history shows you nothing. To say that Scott's view of an age, a character, or a historical event, is not a true view, is not much more sensible than to say that nothing exists but what you can see in the dark, — that he who brings a light into your room in the night suddenly creates every thing which you are enabled to discover by the light of it.

I do not know that I can better illustrate this difference between the romance and the reality of history, and in some respects the superiority of the former for teaching and impressing mere historical truth, than by going back to the ten years which immediately preceded the Battle of Lexington. If idle wishes were not sinful as well as idle, that of all time past is the period in which we might all wish to have lived. Yet how meagre and unsatisfactory is the mere written history of that day. Indeed, there is hardly any thing there for history. The tea was thrown overboard, to be sure, and The Gaspé burned; town meetings were held, and committees of correspondence chosen, and touching appeals, of pathos and argument and eloquence unequalled, addressed to the king and people of England in behalf of their oppressed subjects and brethren of America. And when history has told you this she is silent. You must go to Scott, or evoke the still



mightier Shakspeare or Homer, if you would truly know what that day was, — what the people of that day were, — if you would share in that strong and wide excitement, see that feeling, not loud but deep, of anger and grief and conscious worth, and the sense of violated rights, in that mingled and luxurious emotion of hope and apprehension with which the heart of the whole country throbbed and labored as the heart of a man. And how would Scott reveal to you the spirit of that age? He would place you in the middle of a group of citizens of Boston, going home from the Old South, perhaps; or Faneuil Hall, where James Otis, or Josiah Quincy, or Samuel Adams, had been speaking, and let you listen to their conversation. He would take you to their meeting on Sunday when the congregation stood up in prayer, and the venerable pastor adverted to the crisis, and asked for strength and guidance from above to meet it. He would remark to you that varied expression which ran instantaneously over the general countenance of the assembly, and show you in that varied expression — the varied fortunes of America — the short sorrow, the long joy, the strife, the triumph, the agony, and the glory. In that congregation you might see in one seat the worn frame of a mother whose husband followed the banners of Wolfe, and fell with him on the Plains of Abraham, shuddering with apprehension lest such a life and such a death await her only son, yet striving as became a matron of New England, for grace to make even that sacrifice. You might see old men who dragged Sir William Pepperell's cannon along the beach at Louisburg, now only regretting that they

had not half so much youthful vigor left to fight their king as they then used up in fighting his enemies. You read in yonder eye of fire the energy and ardor of a statesman like John Adams, seeing clear through that day's business, and beholding the bright spot beyond the gloom. You see the blood mount into that cheek of manly beauty, betraying the youthful Warren's dream of fame! But as the pastor proceeded, and his feelings rose, and his voice swelled to its full expression, as he touched on the rights of the Colonies and the injustice of the king, — as his kindling imagination presented to him the scenes of coming and doubtful conflict, and he prayed that He to whom the shields of the earth belong would gird on his sword and go forth with our hosts on the day of battle, and would open their eyes to behold in every valley and in every plain, as the prophet beheld by the same illumination, chariots of fire and horses of fire, — you would see then all those minor shades of individual peculiarity pass away from the face of the assembly, and one universal and sublime expression of religion and patriotism diffuse itself over all countenances alike, as sunshine upon a late disturbed sea.

Thus somewhat would Scott contrive to give you a perception of that indefinable yet real and operative existence, — the spirit of a strongly agitated age, — of the temper and determination of a people in a state of high excitement and fermentation, not yet broken out into overt conduct, — of that interval so full of strange interest, between the acting of a dreadful thing and the first motion. He does it simply and shortly by the power of philosophical

imagination working upon known facts, actual experience, and the uniform laws of the human mind.

In leaving this subject, I cannot help suggesting, at the hazard of being thought whimsical, that a literature of such writings as these, embodying the romance of the whole revolutionary and ante-revolutionary history of the United States, might do *something* to perpetuate the Union itself. The influence of a rich literature of passion and fancy upon society must not be denied merely because you cannot measure it by the yard or detect it by the barometer. Poems and romances which shall be read in every parlor, by every fireside, in every school-house, behind every counter, in every printing-office, in every lawyer's office, at every weekly evening club, in all the States of this Confederacy, must do something, along with more palpable if not more powerful agents, toward moulding and fixing that final, grand, complex result, — the national character. A keen, well-instructed judge of such things said, if he might write the ballads of a people, he cared little who made its laws. Let me say, if a hundred men of genius would extract such a body of romantic literature from our early history as Scott has extracted from the history of England and Scotland, and as Homer extracted from that of Greece, it perhaps would not be so alarming if demagogues should preach, or governors practise, or executives tolerate nullification. Such a literature would be a common property of all the States, — a treasure of common ancestral recollections, — more noble and richer than our thousand million acres of public land; and, unlike that land, it would be indivisible. It would be as the open-

ing of a great fountain for the healing of the nations. It would turn back our thoughts from these recent and overrated diversities of interest, — these controversies about negro-cloth, coarse-woolled sheep, and cotton bagging, — to the day when our fathers walked hand in hand together through the valley of the Shadow of Death in the War of Independence. Reminded of our fathers, we should remember that we are brethren. The exclusiveness of State pride, the narrow selfishness of a mere local policy, and the small jealousies of vulgar minds, would be merged in an expanded, comprehensive, constitutional sentiment of old, family, fraternal regard. It would re-assemble, as it were, the people of America in one vast congregation. It would rehearse in their hearing all things which God had done for them in the old time; it would proclaim the law once more; and then it would bid them join in that grandest and most affecting solemnity, — a national anthem of thanksgiving for the deliverance, of honor for the dead, of proud prediction for the future!

It were good for us to remember that nothing which tends, however distantly, however imperceptibly, to hold these States together, is beneath the notice of a considerate patriotism. It were good to remember that some of the institutions and devices by which former confederacies have been preserved, our circumstances wholly forbid us to employ. The tribes of Israel and Judah came up three times a year to the holy and beautiful city and united in prayer and praise and sacrifice, in listening to that thrilling poetry, in swelling that matchless song, which celebrated the triumphs of their fathers by the

Red Sea, at the fords of Jordan, and on the high places of the field of Barak's victory. But we have no feast of the Passover, or of the Tabernacles, or of the Commemoration. The States of Greece erected temples of the gods by a common contribution, and worshipped in them. They consulted the same oracle; they celebrated the same national festival; mingled their deliberations in the same Amphictyonic and subordinate assemblies, and sat together upon the same benches to hear their glorious history read aloud, in the prose of Herodotus, the poetry of Homer and of Pindar. We have built no national temples but the Capitol; we consult no common oracle but the Constitution. We can meet together to celebrate no national festival. But the thousand tongues of the press—clearer far than the silver trumpet of the jubilee—louder than the voice of the herald at the games—may speak and do speak to the whole people, without calling them from their homes or interrupting them in their employments. Happy if they should speak, and the people should hear, those things which pertain at least to their temporal and national salvation!

It is painful to reflect that for whomsoever else is reserved this great achievement of beginning to create our national romantic literature, it is not for Sir Walter Scott. He died at his residence on the 22d of September, and sleeps beneath the "pillared arches" of Dryburgh Abbey. In the introduction to that delightful poem, the "Lady of the Lake," he represents himself as taking down the long silent harp of the North from "the witch elm that shades St. Fillan's Spring," and reverently attempting to

wake it again to an echo of its earlier and nobler strains. That harp whose sway so many throbbing hearts have owned, is hung again on that tree for the night wind to breathe on, — “mouldering and muffled with envious ivy.” Even now we may fancy its last tones falling on the ears of the Minstrel’s contemporaries and survivors.

“Receding now — its dying numbers ring  
Fainter and fainter down the rugged dell;  
And now the mountain breezes scarcely bring  
A wandering witch-note of the distant spell;  
And now — ’tis silent all — Enchantress, fare thee well!”



## THE COLONIAL AGE OF NEW ENGLAND:

AN ADDRESS DELIVERED AT THE CENTENNIAL CELEBRATION  
OF THE SETTLEMENT OF THE TOWN OF IPSWICH, MASS.,  
AUGUST 16, 1834.

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It is a fact which a native of this old, fertile, and beautiful town may learn with pleasure, but without surprise, that it was always the most fertile or among the most fertile and most beautiful portions of the coast of New England. John Smith, who in 1614 explored that coast from Penobscot to Cape Cod, admires and praises "the many rising hills of Agawam," whose tops and descents are grown over with numerous corn-fields and delightful groves, the island to the east, with its "fair high woods of mulberry trees," and the luxuriant growth of oaks, pines, and walnuts, "which make the place," he says, "an excellent habitation;" while the Pilgrim Fathers in December, 1620, when deliberating on the choice of a spot for their settlement, some of them "urged greatly to Anguan or Angoan, a place twenty leagues off to the northward, which they heard to be an excellent harbor for ships, better ground, and better fishing." As early as January, 1632, the first governor of Massachusetts, John Winthrop, declared Agawam to be "the best place for tillage and cattle *in the land*;" others described its great meadows,

marshes, and plain ploughing grounds; and that the government of the infant colony, Massachusetts, at the time resolved that it should be occupied forthwith by a sort of garrison, in advance and in anticipation of its more formal and numerous settlement, for the express purpose of keeping so choice a spot out of the hands of the French. In March, 1633, accordingly, there was sent hither a company of thirteen men to acquire and to preserve, rather for the future than the present uses of the Colony, as much as they might of that fair variety of hill, plain, wood, meadow, marsh, and seashore, whose fame had spread so widely. The leader of the little band was John Winthrop, the son of the Governor. They arrived in that month—the dreariest of the New England year—on the banks of the river which washes in his sweet and cheerful course the foot of the hill on which we are assembled. They proceeded to purchase of Masconomo, the Sagamore of Agawam, by a deed to him, Winthrop, a portion of the territory which composes the present corporation of Ipswich; and there remained without, I imagine, any considerable addition to their number, without any regularly organized church, or stated preaching, or municipal character, until May, 1634. At that time the Rev. Thomas Parker, the pupil of the learned Archbishop Usher of Dublin, and about one hundred more, men, women, and children, came over from “the Bay” and took up their abode on the spot thus made ready for them. In August, 1634, the first church was organized; and on this day two hundred years ago the town was incorporated. With that deep filial love of England and the English,



which neither persecution, nor exile, nor distance, nor the choice of another and dearer home, nor the contemplation of the rapidly revealing and proud destinies of the New World, ever entirely plucked from the hearts of all the Colonists down to the war of Independence, they took the name of Ipswich from the Ipswich of the east coast of England, the capital of the county of Suffolk; and the birthplace of Cardinal Wolsey.

And thus and by these was begun the civil and ecclesiastical establishment and history of Ipswich. You have done well in this way to commemorate an event of so much interest to you. It is well thus filially, thus piously, to wipe away the dust, if you may, which two hundred years have gathered upon the tombs of the fathers. It is well that you have gathered yourselves together on this height; that as you stand here and look abroad upon as various and inspiring a view as the sun shines upon; as you see fields of grain bending before the light summer wind,—one harvest just now ready for the sickle, and another and a richer preparing; as you see your own flocks upon the tops and descents of the many rising hills; mowing-lands shaven by the scythe; the slow river winding between still meadows, ministering in his way to the processes of nature and of art,—losing himself at last under your eye in the sea, as life, busy or quiet, glides into immortality; as you hear peace and plenty proclaiming with a thousand voices the reign of freedom, law, order, morality, and religion; as you look upon these charities of God, these schools of useful learning and graceful accomplishment, these great workshops of

your manufacturers, in which are witnessed — performed every day — achievements of art and science to which the whole genius of the ancient world presents nothing equal ; as you dwell on all this various, touching, inspiring picture in miniature of a busy, prosperous, free, happy, thrice and four times happy, and blessed people, — it is well that standing here you should look backwards as well as around you and forward, — that you should call to mind, to whom under God you owe all these things ; whose weakness has grown into this strength ; whose sorrows have brought this exceeding great joy ; whose tears and blood, as they scattered the seed of that cold, late, ungenial, and uncertain spring, have fertilized this natural and moral harvest which is rolled out at your feet as one unbounded flood.

The more particular history of Ipswich from its settlement to this day, and of the towns of Hamilton and Essex, — shoots successively from the parent stock, — has been written so minutely and with such general accuracy, by a learned clergyman of this county, that I may be spared the repetition of details with which he has made you familiar. This occasion, too, I think, prescribes topics somewhat more general. That long line of learned ministers, upright magistrates, and valiant men of whom we are justly proud — our municipal fathers — were something more and other than the mere founders of Ipswich ; and we must remember their entire character and all their relations to their own times and to ours, or we cannot do them adequate honor. It is a boast of our local annals that they do not flow in a separate and solitary stream, but blend themselves with that broader

and deeper current of events, the universal ante-revolutionary history of North America. It is the foundation of an empire, and not merely the purchase and plantation of Agawam, which we commemorate, — whether we will or not; and I do not fear that we shall enlarge our contemplations too far, or elevate them too high, for the service to which we have devoted this day.

The history of the Colonies which were planted one after another along our coast in the seventeenth century, and which grew up in the fulness of time into thirteen and at last into twenty-four States, from their respective beginnings to the war of Independence, is full of interest and instruction, for whatever purpose or in whatever way you choose to read it. But there is one point of view in which, if you will look at the events which furnished the matter of that colonial history, I think you will agree with me that they assume a character of peculiar interest, and entitle themselves to distinct and profound consideration. I regard those events altogether as forming a vast and various series of influences, — a long, austere, effective course of discipline and instruction, — by which the settlers and their children were slowly and painfully trained to achieve their independence, to form their constitutions of State governments and of federal government, and to act usefully and greatly their part as a separate political community on the high places of the world.

The Colonial period, as I regard it, was the charmed, eventful infancy and youth of our national life. The revolutionary and constitutional age, from 1775 to 1789, was the beginning of its manhood.

The Declaration of Independence, the succeeding conduct of the war of Independence, the establishment of our local and general governments, and the splendid national career since run, — these are only effects, fruits, outward manifestations! The seed was sown, the salient living spring of great action sunk deep in that long, remote, less brilliant, less regarded season, — the heroic age of America that preceded. The Revolution was the meeting of the rivers at the mountain. You may look there, to see them rend it asunder, tear it down from its summit to its base, and pass off to the sea.

But the Colonial period is the country above, where the rivers were created. You must explore that region if you would find the secret fountains where they began their course, the contributory streams by which they grew, the high lands covered with woods, which, attracting the vapors as they floated about them, poured down rain and melted snow to swell their currents, and helped onward the momentum by which they broke through the walls of nature and shook the earth itself to its centre! One of our most accomplished scholars and distinguished public men speaks somewhere of the “Miracle of the Revolution.” I would say rather that the *true* miracle was the character of the people who *made* the Revolution; and I have thought that an attempt to unfold some of the great traits of that character, and to point out the manner in which the events of the preceding Colonial Age contributed to form and impress those traits, imperfect as it must be, would be entirely applicable to this occasion.

The leading feature, then, in the character of the American people in the age of the Revolution was what Burke called in Parliament their "fierce spirit of liberty." "It is stronger in them," said he, "than in any other people on the earth." "I am convinced," said our youthful and glorious Warren, — in a letter to Quincy, little more than six months before he fell on the heights of Charlestown, — "I am convinced that the true spirit of liberty was never so universally diffused through all ranks and orders of men on the face of the earth, as it now is through all North America. It is the united voice of America to preserve their freedom or lose their lives in defence of it." Whoever overlooks, whoever underestimates this trait in the character of that generation of our fathers, — whoever has not carefully followed it upwards to its remote and deep springs, may wonder at, but never can comprehend, the "Miracle of the Revolution." Whence, then, did they derive it? Let us return to the history of the Colonists before they came, and after they came, for the answer; and for distinctness and brevity let us confine ourselves to the Northern Colonists, our immediate ancestors.

The people of New England, at the beginning of the Revolutionary War, to describe them in a word, were the Puritans of Old England as they existed in that country in the first half of the seventeenth century; but changed — somewhat improved, let me say — by the various influences which acted upon them here for a hundred and fifty years after they came over.

The original stock was the Puritan character of

the age of Elizabeth, of James I., and of Charles I. It was transplanted to another soil; another sun shone on it; other winds fanned and shook it; the seasons of another heaven for a century and a half circled round it; and there it stood at length, the joint product of the old and the new, deep-rooted, healthful, its trunk massive, compact, and of rough and gnarled exterior, but bearing to the sky the glory of the wood.

Turn first now, for a moment, to the Old English Puritans, the fathers of our fathers, of whom came, of whom were, planters of Ipswich, of Massachusetts, of New England, — of whom came, of whom were, our own Ward, Parker, and Saltonstall, and Wise, Norton, and Rogers, and Appleton, and Cockett, and Winthrop, — and see whether they were likely to be the founders of a race of freemen or slaves. Remember, then, the true, noblest, the least questioned, least questionable, praise of these men is this: that for a hundred years they were the sole depositaries of the sacred fire of liberty in England, after it had gone out in every other bosom, — that they saved at its last gasp the English constitution, which the Tudors and the first two Stuarts were rapidly changing into just such a gloomy despotism as they saw in France and Spain, and wrought into it every particle of freedom which it now possesses, — that when they first took their seats in the House of Commons, in the early part of the reign of Elizabeth, they found it the cringing and ready tool of the throne, and that they reanimated it, remodelled it, reasserted its privileges, restored it to its constitutional rank, drew back to it the old power of making

laws, redressing wrongs, and imposing taxes, and thus again rebuilt and opened what an Englishman called "the chosen temple of liberty," an English House of Commons,—that they abridged the tremendous power of the crown and defined it,—and when at last Charles Stuart resorted to arms to restore the despotism they had partially overthrown, that they met him on a hundred fields of battle, and buried, after a sharp and long struggle, crown and mitre and the headless trunk of the king himself beneath the foundations of a civil and religious commonwealth. This praise all the historians of England—Whig and Tory, Protestant and Catholic, Hume, Hallam, Lingard, and all—award to the Puritans. By what causes this spirit of liberty had been breathed into the masculine, enthusiastic, austere, resolute character of this extraordinary body of men, in such intensity as to mark them off from all the rest of the people of England, I cannot here and now particularly consider. It is a thrilling and awful history of the Puritans in England, from their first emerging above the general level of Protestants, in the time of Henry VIII. and Edward VI., until they were driven by hundreds and thousands to these shores; but I must pass it over. It was just when the nobler and grander traits—the enthusiasm and piety and hardihood and energy—of Puritanism had attained the highest point of exaltation to which, in England, it ever mounted up, and the love of liberty had grown to be the great master-passion that fired and guided all the rest,—it was just then that our portion of its disciples, filled with the undiluted spirit, glowing with the intensest fervors of Protes-

tantism and republicanism together, came hither, and in that elevated and holy and resolved frame began to build the civil and religious structures which you see around you.

Trace, now, their story a little farther onward through the Colonial period to the War of Independence, to admire with me the providential arrangement of circumstances by which that spirit of liberty, which brought them hither, was strengthened and reinforced, until at length, instructed by wisdom, tempered by virtue, and influenced by injuries, by anger and grief and conscious worth and the sense of violated right, it burst forth here and wrought the wonders of the Revolution. I have thought that if one had the power to place a youthful and forming people, like the northern colonists, in whom the love of freedom was already vehement and healthful, in a situation the most propitious for the growth and perfection of that sacred sentiment, he could hardly select a fairer field for so interesting an experiment than the actual condition of our fathers for the hundred and fifty years after their arrival, to the War of the Revolution.

They had freedom enough to teach them its value, and to refresh and elevate their spirits, wearied, not despondent, from the contentions and trials of England. They were just so far short of perfect freedom, that, instead of reposing for a moment in the mere fruition of what they had, they were kept emulous and eager for more, looking all the while up and aspiring to rise to a loftier height, to breathe a purer air, and bask in a brighter beam. Compared with the condition of England down to 1688, — com-



pared with that of the larger part of the continent of Europe down to our Revolution, — theirs was a privileged and liberal condition. The necessities of freedom, if I may say so, — its plainer food and homelier garments and humbler habitations, — were theirs. Its luxuries and refinements, its festivals, its lettered and social glory, its loftier port and prouder look and richer graces, were the growth of a later day; these came in with independence. Here was liberty enough to make them love it for itself, and to fill them with those lofty and kindred sentiments which are at once its fruit and its nutriment and safeguard in the soul of man. But their liberty was still incomplete, and it was constantly in danger from England; and these two circumstances had a powerful effect in increasing that love and confirming those sentiments. It was a condition precisely adapted to keep liberty, as a subject of thought and feeling and desire, every moment in mind. Every moment they were comparing what they had possessed with what they wanted and had a right to; they calculated by the rule of three, if a fractional part of freedom came to so much, what would express the power and value of the whole number! They were restive and impatient and ill at ease; a galling wakefulness possessed their faculties like a spell. Had they been wholly slaves, they had lain still and slept. Had they been wholly free, that eager hope, that fond desire, that longing after a great, distant, yet practicable good, would have given way to the placidity and luxury and carelessness of complete enjoyment; and that energy and wholesome agitation of mind would have gone down

like an ebb-tide. As it was, the whole vast body of waters all over its surface, down to its sunless, utmost depths, was heaved and shaken and purified by a spirit that moved above it and through it, and gave it no rest, though the moon waned and the winds were in their caves; they were like the disciples of the old and bitter philosophy of Paganism, who had been initiated into one stage of the greater mysteries, and who had come to the door, closed, and written over with strange characters, which led up to another. They had tasted of truth, and they burned for a fuller draught; a partial revelation of that which shall be hereafter had dawned; and their hearts throbbed eager, yet not without apprehension, to look upon the glories of the perfect day. Some of the mystery of God, of Nature, of Man, of the Universe, had been unfolded; might they, by prayer, by abstinence, by virtue, by retirement, by contemplation, entitle themselves to read another page in the clasped and awful volume?

Sparing and inadequate as their supply of liberty was, it was all the while in danger from the Crown and Parliament of England, and the whole ante-revolutionary period was one unintermitted struggle to preserve it, and to wrest it away. You sometimes hear the Stamp Act spoken of as the first invasion of the rights of the colonists by the mother country. In truth, it was about the last; the most flagrant, perhaps, the most dreadful and startling to an Englishman's idea of liberty, but not the first, — no, by a hundred and fifty years not the first. From the day that the Pilgrims on board *The Mayflower* at Plymouth, before they landed, drew up that simple,

but pregnant and comprehensive, form of democracy, and subscribed their names, and came out a colony of republicans, to the battle of Lexington, there were not ten years together, — I hardly exempt the Protectorate of Cromwell, — in which some right — some great and sacred right, as the colonists regarded it — was not assailed or menaced by the government of England, in one form or another. From the first, the mother country complained that we had brought from England, or had found here, *too much liberty*, — liberty inconsistent with prerogatives of the Crown, inconsistent with supremacy of Parliament, inconsistent with the immemorial relations of all colonies to the country they sprang from, — and she set herself to abridge it. We answered with great submission that we did not honestly think that we had brought or had found much more than half liberty enough; and we braced ourselves to keep what we had, and obtain more when we could; — and so, with one kind of weapon or another, on one field or another, on one class of questions or another, a struggle was kept up from the landing at Plymouth to the surrender at Yorktown. It was all one single struggle from beginning to end; the parties, the objects, the principles, are the same; — one sharp, long, glorious, triumphant struggle for liberty. The topics, the heads of dispute, various from reign to reign; but, though the subjects were various, the question was *one*, — shall the colonists be free, or shall they be slaves?

And that question was pronounced by everybody, understood by everybody, debated by everybody, — in the colonial assemblies; by the clergy on the days

of thanksgiving, on fast-days, and quarterly fast-days ; and by the agents of the colonies in England ; and at last, and more and more, through the press. I say nothing here of the effect of such a controversy so long continued, in sharpening the faculties of the colonists, in making them acute, prompt, ingenious, full of resource, familiar with the grounds of their liberties, their history, revolutions, extent, nature, and the best methods of defending them argumentatively. These were important effects ; but I rather choose to ask you to consider how the *love* of liberty would be inflamed ; how ardent, jealous, irresistible it would be made ; with what new and what exaggerated value even, it would learn to invest its object, by being thus obliged to struggle so unceasingly to preserve it ; and by coming so many times so near to lose it ; and by being thus obliged to bear it away like another Palladium, at the hazard of blindness, from the flames of its temple which would have consumed it, — across seas gaping wide to swallow it up, — through serried ranks of armed men who had marked it for a prey.

There was one time during this long contest when it might have seemed to any race of men less resolved than our fathers, that liberty had at last returned from earth to the heavens from which she descended. A few years before 1688 — the year of the glorious revolution in England — the British king succeeded, after a struggle of more than half a century, in wresting from Massachusetts her first charter. From that time, or rather from December, 1685, to April, 1689, the government of all New England was an undisguised and intolerable despotism. A governor,

Sir Edmund Andros, — not chosen by the people as every former governor had been, but appointed by James II., — worthy to serve such a master, — and a few members, less than the majority, of the council, also appointed by the king, and very fit to advise such a governor, grasped and held the whole civil power. And they exercised it in the very spirit of the worst of the Stuarts. The old, known body of colonial laws and customs which had been adopted by the people, was silently and totally abolished. New laws were made ; taxes assessed ; an administration all new and all vexatious was introduced, not by the people in general court, but by the governor and a small, low faction of his council, in whose election they had no vote ; over whose proceedings they had no control ; to whom their rights and interests and lives were all as nothing compared with the lightest wish of the Papist and tyrant James whom they served. A majority of the council, although appointed by the king, wore yet true hearts of New England in their bosoms, and resisted with all their might the tyranny which the government was riveting upon her. One of these, Major Samuel Appleton, was an inhabitant of Ipswich, a son of one of the earliest settlers of the town, the ancestor of a long line of learned, energetic, and most respectable descendants. He had the high honor to be arrested in October, 1689, by Andros and his faction in the council, as being a factious member of the board and disaffected to the government, and was obliged to give bonds in the sum of £1000 to be of good political behavior. But the efforts of this gentleman, and of such as he in the council, could avail

nothing; and the arbitrary tyranny of the creatures of the Stuarts became the only government of Massachusetts.

In this the darkest day that New England ever saw, it is grateful to pause and commemorate an act of this town of Ipswich which deserves, I think, an honorable place in the universal history of liberty. Sir Edmund Andros and his faction had, without the intention of the colonial legislature, or any representatives of the people, made a decree imposing a State tax on the people, against that fundamental principle of liberty, that the people alone can tax themselves. They had assessed in several towns quotas of it, and had commanded them to choose each a commissioner, who, with the boards of the selectmen, should assess the quota of the town on its inhabitants and estates respectively. A meeting of the inhabitants of Ipswich was warned to be holden on the 23d August, 1687, to choose a commissioner to aid the selectmen in assessing the tax. The evening before the meeting the Rev. John Wise, the minister of the parish now Essex, a learned, able, resolute; and honest man, — worthy to preach to the children of Puritans, — Robert Kinsman, William Goodhue, Jr., and several other principal inhabitants of Ipswich, held a preparatory caucus at the house of John Appleton, brother of Major Samuel Appleton, which stood, or stands, on the road to Topsfield, and there “discoursed, and concluded that it was not the town’s duty *any way* to assist that *ill method* of raising money without a general assembly.” The next day they attended the town-meeting, and Mr. Wise made a speech, enforcing this opinion of his friends, and said,

“ We have a good God, and a good king, and should do well to stand on our privileges.” And by their privileges they concluded to stand. I cannot read the simple, manly, and noble vote of Ipswich on that day without a thrill of pride, — that then, when the hearts of the pious and brave children in Massachusetts seemed almost sunk within them, — our charter gone, James Stuart the Second on the throne, (I suspect it was irony or policy of Mr. Wise to call him a good king) — just when the long-cherished, long-dreaded design of the English Crown to reduce the colonies into immediate dependence on itself, and to give them, unconcealed, slavery for substantial freedom, seemed about to be consummated, — that we here and then, with full knowledge of the power and temper of Andros and his council, dared to assert and to spread out upon our humble record the great principle of English liberty and of the American Revolution. The record declares “ that considering the said act ” (referring to the order of the governor and council imposing the tax) “ doth infringe *their liberty as free-born English subjects* of His Majesty, and by interfering with the statute laws of the land by which it was enacted that no taxes should be levied upon the subjects *without the consent of an assembly chosen by the free men for assessing the same*, — they do, therefore, vote that they are not willing to choose a commissioner for such an end without such a privilege ; — and they, moreover, consent not that the selectmen do proceed to levy any such rate, until it be appointed by a general assembly, concurring with the Governor and Council.”

For the share they had taken in the proceedings

of that memorable day, Mr. Wise and five others, probably those who met with him, and Mr. Appleton himself, were arrested, by order of the Governor, as for a contempt and misdemeanor, and carried beyond the limits of the county, imprisoned in jail at Boston, denied the writ of habeas corpus, tried by a packed jury — principally strangers and foreigners, I rejoice to read — and a subservient court, and of course found guilty. They were all fined more or less heavily, from £15 to £50, compelled to enter into bonds of from £500 to £1000 each to keep the peace, and Mr. Wise was suspended from the ministerial function, and the others disqualified to bear office.

The whole expense of time and money to which they were subjected was estimated to exceed £400, — a sum equivalent to perhaps \$5000 of our money, — enough to build the Ipswich part of Warner's Bridge more than three times over; which the town shortly after nobly and justly, yet gratuitously, refunded to the sufferers.

These men, says Pitkin, who is not remarkable for enthusiasm, may justly claim a distinguished rank among the patriots of America. You, their townsmen — their children — may well be proud of them; prouder still, but more grateful than proud, that a full town-meeting of the freemen of Ipswich adopted unanimously that declaration of right, and refused to collect or pay the tax which would have made them slaves. The principle of that vote was precisely the same on which Hampden resisted an imposition of Charles I., and on which Samuel Adams and Hancock and Warren resisted the Stamp Act, — the principle that if any power but the people can tax the people, there is an end of liberty.



The later and more showy spectacles and brighter glories and visible results of the age of the Revolution have elsewhere cast into the shade and almost covered with oblivion the actors on that interesting day, and the act itself, — its hazards, its intrepidity, its merits, its singularity and consequences. But you will remember them, and teach them to your children. The graves of those plain, venerable, and sturdy men of the old, old time, who thus set their lives on the hazard of a die for the perishing liberties of Massachusetts; the site of the house where they assembled — they, the fathers of the town — the day before the meeting, to consider what advice they should give to their children in that great crisis, so full of responsibility and danger; the spot on which that building stood where the meeting was holden and the declaration recorded, — these are among you yet; your honor, your treasure, the memorials and incentives of virtue and patriotism and courage, which feared God and knew no other fear!. Go sometimes to those graves, and give an hour of the summer evening to the brave and pious dead. Go there, and thank God for pouring out upon them the spirit of liberty, and humbly ask Him to transmit it, as it breathed in them, their children, and their children's children, to the thousandth generation!

I have said part of what I intended of one trait in the character of our fathers of the revolutionary age, — their spirit of liberty. But something more than the love of liberty is needful to fit a people for the enjoyment of it. Other men, other nations, have loved liberty as well as our fathers. The sentiment is innate, and it is indestructible, and immortal.

Yet of the wide-spread families of the earth, in the long procession of the generations, that stretches backward to the birth of the world, how few have been free at all ; how few have been long free ; how imperfect was their liberty while they possessed it ; how speedily it flitted away ; how hard to woo it to return ! In all Asia and Africa — continents whose population is more than four sevenths of the human race on earth, whose history begins ages before a ray of the original civilization of the East had reached to Europe — there was never a free nation. And how has it been in Europe, that proud seat of power, art, civilization, enterprise, and mind ? Alas for the destiny of social man ! Here and there in ancient and in later times, in Greece, in Rome, in Venice, in France, men have called on the Goddess of Liberty in a passionate and ignorant idolatry ; they have embodied her angelical brightness and unclouded serenity in marble ; they have performed dazzling actions, they have committed great crimes in her name ; they have built for her the altars where she best loves to be worshipped, — republican forms of government ; they have found energy, genius, the love of glory, the mad dream of power and pride in her inspiration. But they were not wise enough, they were not virtuous enough for diffused, steady, lasting freedom. Their heads were not strong enough to bear a draught so stimulating. They perished of raging fever, kindled by drinking of the very waters of social life ! These stars one after another burned out, and fell from their throne on high !

England guarded by the sea ; Holland behind her dikes ; a dozen Swiss Cantons breathing the difficult

air of the iced mountain tops,—these, in spite of revolutions, all were free governments. And in the whole of the Old World there was not another. The love of liberty there was; but a government founded in liberty there was not one besides. Some things other than the love of freedom are needful to form a great and free nation. Let us go farther then, and observe the wisdom and prudence by which, after a long and painful process, our fathers were prepared, in mind and heart, for the permanent possession, tempered enjoyment, and true use of that freedom, the love of which was rooted in their souls; the process by which, in the words of Milton, they were made into a “right pious, right honest, right holy nation,” as well as a nation loving liberty. In running over that process, I am inclined to attach the most importance to the fact that they who planted New England, and all the generations of successors, to the war of Independence, were engaged in a succession of the severest and gravest trials and labors and difficulties which ever tasked the spirit of a man or a nation.

It has been said that there was never a great character,—never a truly strong, masculine, commanding character,—which was not made so by successive struggles with great difficulties. Such is the general rule of the moral world, undoubtedly. All history, all biography, verify and illustrate it, and none more remarkably than our own.

It has seemed to me probable that if the Puritans, on their arrival here, had found a home like that they left, and a social system made ready for them,—if they had found the forest felled, roads constructed,

rivers bridged, fields sown, houses built, a rich soil, a bright sun, and a balmy air, — if they had come into a country which for a hundred and fifty years was never to hear the war-whoop of a savage, or the tap of a French drum, — if they had found a commonwealth civil and religious, a jurisprudence, a system of police, administration, and policy, all to their hands, churches scattered, districts, parishes, towns, and counties, widening one around the other, — if England had covered over their infancy with her mighty wing, spared charters, widened trade, and knit child to mother by parental policy, — it is probable that that impulse of high mind, and that unconquerable constancy of the first emigrants, might have subsided before the epoch of the drama of the Revolution. Their children might have grown light, luxurious, vain, and the sacred fire of liberty, cherished by the fathers in the times of the Tudors and Stuarts, might have died away in the hearts of a feeble posterity.

Ours was a different destiny. I do not mean to say that the whole Colonial Age was a scene of universal and constant suffering and labor, and that there was no repose ; of peril pressing at every turn, and every moment, on everybody. But in its general course it was a time of suffering and of privation, of poverty or mediocrity of fortune, of sleepless nights, grave duties, serious aims ; and I say it was a trial better fitted to train up a nation “in true wisdom, virtue, magnanimity, and the likeness of God,” — better fitted to form temperate habits, strong character, resolute spirits, and all the radiant train of public and private virtues which stand before the

stars of the throne of liberty,—than any similar period in the history of any nation, or of any but one, that ever existed.

Some seasons there were of sufferings so sharp and strange, that they might seem designed to test the energy of Puritan principles. Such was the summer and winter after Governor Winthrop's arrival in New England, 1670–1671. Such the winter and spring after the arrival of the Puritans at Plymouth, 1620–1621. They wasted away—young and old of the little flock—of consumption and fever of lungs; the living scarcely able to bury the dead; the well not enough to tend the sick; men who landed a few weeks before in full strength, their bones moistened with marrow, were seen to stagger and fall from faintness for want of food. In a country abounding in secret springs, they perished for want of a draught of good water. Childhood drooped and died away, like a field-flower turned up by the ploughshare. Old age was glad to gather himself to his last sleep. Some sank down, broken-hearted, by the graves of beloved wives and sons. Of the whole one hundred and one who landed at Plymouth, there were once only seven able to render assistance to the dying and the sick.

A brilliant English writer, speaking of the Jews, exclaims, with surprise and indignation, that even a desert did not make them wise. Our fathers, let me say, not vaingloriously, were readier learned of wisdom. Their sufferings chastened, purified, and elevated them; and led them to repose their weary and stricken spirits upon the strength which upholds the world. Thus to be afflicted, thus to profit by afflic-

tion, is good for a nation as it is good for a man. To neither is it joyous, but grievous ; to both it is all made up over and over again by a more exceeding weight of glory.

Look now, passing from the sufferings, to the gigantic labors of our Colonial Age, and calculate their influence on those who performed them.

The first great work of the earlier generations of New England was to reclaim the country, to fit it for the sustentation of life from day to day, from season to season, and thus to become the abode of an intellectual and social civilization advancing indefinitely. This is the first great work of all nations, who begin their existence in a country not before the residence of cultivated man. The nature of this work, — the ease and difficulty of performing it depending of course on the great natural characteristics of the region, — its fertility, its even or uneven surface, the quality, as well as the abundance or scarcity of its products, the brightness and dryness, or gloom and moisture of its skies, its cold or hot temperature, and the like, — the nature of this first and severest of the herculean labors of nations, perhaps quite as much as any other cause, perhaps as much as all other causes, affects the moral and mental character and habits of the people which have it to do. It has been maintained, and with great ingenuity, that the whole subsequent career of a nation has taken impulse and direction from the circumstances of physical condition in which it came first into life. The children of the luxurious East opened their eyes on plains whose fertility a thousand harvests could

not exhaust, renewing itself perpetually from the bounty of a prodigal nature, beneath bright suns, in a warm, balmy air, which floated around them like music and perfumes from revels on the banks of rivers by moonlight. "Every blast shook spices from the leaves, and every month dropped fruits upon the ground." "The blessings of nature were collected, and its evils extracted and excluded." Hence the immemorial character of a part of the tribes of Asia. They became indolent, effeminate, and timorous. Steeped in sensual enjoyments, the mind slept with the body; or if it awoke, unlike the reasoning, speculative, curious, and energetic intellect of Europe, it reposed in reverie; it diffused itself in long contemplation, musing rather than thinking, reading human destiny in the stars, but making no effort to comprehend the system of the world. Life itself there is but a fine dream; and death is only a scattering of the garlands, a hushing of the music, a putting out of the lights of a midsummer night's feast. You would not look there for freedom, for morality, for true religion, for serious reflections.

The destiny of the most of Europe was different. Vast forests covering half a continent, rapid and broad rivers, cold winds, long winters, large tracts unsusceptible of cultivation, snow-clad mountains on whose tops the lightning plays impassive, — this was the world that fell to their lot. And hence partly, that race is active, laborious, curious, intellectual, full of energy, tending to freedom, destined to freedom, but not yet all free.

I cannot now pause to qualify this view, and make

the requisite discriminations between the different States of that quarter of the world.

/ To the tempest-tossed and weather-beaten, yet sanguine and enthusiastic spirits who came hither, New England hardly presented herself at first in all that ruggedness and sternest wildness which nature has impressed indelibly upon her. But a few summers and winters revealed the whole truth. They had come to a country fresh from the hand of nature, almost as on the day of creation, covered with primeval woods, which concealed a soil not very fruitful and bearing only the hardier and coarser grains and grasses, broken into rocky hills and mountains sending their gray summits to the skies, the upland levels, with here and there a strip of interval along a pleasant river, and a patch of salt-marsh by the side of the sea, — a country possessing and producing neither gold, nor diamonds, nor pearls, nor spices, nor opium, nor bread-fruit, nor silks, nor the true vine, — to a long and cold winter, an uncertain spring, a burning summer, and autumn with his fleecy clouds and bland south-west, red and yellow leaf and insidious disease; — such was the ungenial heaven beneath which their lot was cast; such was New England, yielding nothing to idleness, nothing to luxury, but yet holding out to faith and patience and labor, freedom and skill, and public and private virtue, — holding out to these the promise of a latter day afar off, of glory and honor and rational and sober enjoyment. Such was the country in which the rugged infancy of New England was raised. Such was the country which the Puritans were appointed to transpose into a meet residence of refine-



ment and liberty. You know how they performed that duty. Your fathers have told you. From this hill, westward and southward, and eastward and northward, your eyes may see how they performed it. The wilderness and the solitary place were glad for them, and the desert rejoiced and blossomed as the rose. The land was a desolate wilderness before them; behind them, as the garden of Eden. How glorious a triumph of patience, energy, perseverance, intelligence, and faith! And then how powerfully and in how many ways must the fatigues, privations, interruptions, and steady advance and ultimate completion of that long day's work have reacted on the character and the mind of those who performed it! How could such a people ever again, if ever they had been, be idle, or frivolous, or giddy, or luxurious! With what a resistless accession of momentum must they turn to every new, manly, honest, and worthy labor! How truly must they love the land for which they had done so much! How ardently must they desire to see it covered over with the beauty of holiness and the glory of freedom as with a garment! With what a just and manly self-approbation must they look back on such labors and such success; and how great will such pride make any people!

There was another great work, different from this, and more difficult, more glorious, more improving, which they had to do, and that was to establish their system of colonial government, to frame their code of internal law, and to administer the vast and perplexing political business of the colonies in their novel and trying relations to England, through the whole Colonial Age. Of all their labors this was the

grandest, the most intellectual, the best calculated to fit them for independence. Consider how much patient thought, how much observation of man and life, how much sagacity, how much communication of mind with mind, how many general councils, plots, and marshalling of affairs, how much slow accumulation, how much careful transmission of wisdom, that labor demanded. And what a school of civil capacity this must have proved to them who partook in it! Hence, I think, the sober, rational, and practical views and conduct which distinguished even the first fervid years of the Revolutionary age. How little giddiness, rant, and foolery do you see there! No riotous and shouting processions,—no grand festivals of the goddess of reason,—no impious dream of human perfectibility,—no unloosing of the hoarded-up passions of ages from the restraints of law, order, morality, and religion, such as shamed and frightened away the new-born liberty of revolutionary France. Hence our victories of peace were more brilliant, more beneficial, than our victories of war. Hence those fair, I hope everlasting, monuments of civil wisdom, our State and Federal Constitutions. Hence the coolness, the practised facility, the splendid success, with which they took up and held the whip and reins of the fiery chariot flying through the zodiac, after the first driver had been stricken by the thunder from his seat.

Do you not think it was a merciful appointment that our fathers did not come to the possession of independence, and the more perfect freedom which it brought with it, as to a great prize drawn in a lottery,—an independent fortune left unexpectedly by

the death of a distant relative of whom they had never heard before,—a mine of gold opened just below the surface on the side of the hill by a flash of lightning? If they had, it would have turned their heads or corrupted their habits. They were rather in the condition of one of the husbandmen of old Ipswich, a little turned of one-and-twenty, who has just paid off the last legacy, or the last gage upon the estate left him by his father,—an estate where his childhood played with brothers and sisters now resting in early graves, in which the first little labors of his young hands were done, from which he can see the meeting-house spire above the old intervening elms, to which his own toil, mingled with that of his ancestors of many generations, has given all its value, which, before he had owned, he had learned how to keep, how to till, how to transmit to his heirs enlarged and enriched with a more scientific and tasteful cultivation.

I can only allude to one other labor, one other trial of the Colonial Age,—the wars in which for one hundred and fifty years our fathers were every moment engaged, or to which they were every moment exposed, and leave you to estimate the influence which these must have had on the mind and character, and at last on the grand destinies of New England and of North America.

It is dreadful that nations must learn war; but since they must, it is a mercy to be taught it seasonably and thoroughly. It had been appointed by the Infinite Disposer, that the liberties, the independence of the States of America should depend on the manner in which we should fight for them; and who can

imagine what the issue of the awful experiment would have been, had they never before seen the gleam of an enemy's bayonets, or heard the beat of his drum?

I hold it to have been a great thing, in the first place, that we had among us, at that awful moment when the public mind was meditating the question of submission to the tea-tax, or resistance by arms, and at the more awful moment of the first appeal to arms, — that we had some among us who personally knew what war was. Washington, Putnam, Stark, Gates, Prescott, Montgomery, were soldiers already. So were hundreds of others of humbler rank, but not yet forgotten by the people whom they helped to save, who mustered to the camp of our first revolutionary armies. These all had tasted a soldier's life. They had seen fire, they had felt the thrilling sensations, the quickened flow of blood to and from the heart, the mingled apprehension and hope, the hot haste, the burning thirst, the feverish rapture of battle, which he who has not felt is unconscious of one half of the capacities and energies of his nature, which he who has felt, I am told, never forgets. They had slept in the woods on the withered leaves or the snow, and awoke to breakfast upon birch bark and the tender tops of willow trees. They had kept guard on the outposts on many a stormy night, knowing perfectly that the thicket half a pistol-shot off was full of French and Indian riflemen.

I say it was something that we had such men among us. They helped discipline our raw first levies. They knew what an army is, and what it needs, and how to provide for it. They could take

that young volunteer of sixteen by the hand, sent by an Ipswich mother, who, after looking upon her son equipped for battle from which he might not return, Spartan-like, bid him go and behave like a man — and many, many such shouldered a musket for Lexington and Bunker Hill — and assure him, from their own personal knowledge, that after the first fire he never would know fear again, even that of the last onset. But the long and peculiar wars of New England had done more than to furnish a few such officers and soldiers as these. They had formed that public sentiment upon the subject of war which reunited all the armies, fought all the battles, and won all the glory of the Revolution. The truth is that war, in some form or another, had been, from the first, one of the usages, one of the habits, of colonial life. It had been felt, from the first, to be just as necessary as planting or reaping, — to be as likely to break out every day and every night as a thunder-shower in summer, and to break out as suddenly. There have been nations who boasted that their rivers or mountains never saw the smoke of an enemy's camp. Here the war-whoop awoke the sleep of the cradle ; it startled the dying man on his pillow ; it summoned young and old from the meeting-house, from the burial, and from the bridal ceremony, to the strife of death. The consequence was, that that steady, composed, and reflecting courage which belongs to all the English race grew into a leading characteristic of New England ; and a public sentiment was formed, pervading young and old, and both sexes, which declared it lawful, necessary, and honorable to risk life, and to shed blood for a great

cause, — for our family, for our fires, for our God, for our country, for our religion. In such a cause it declared that the voice of God Himself commanded to the field. The courage of New England was the “courage of conscience.” It did not rise to that insane and awful passion, — the love of war for itself. It would not have hurried her sons to the Nile, or the foot of the pyramids, or across the great raging sea of snows which rolled from Smolensko to Moscow, to set the stars of glory upon the glowing brow of ambition. But it was a courage which at Lexington, at Bunker Hill, at Bennington, and at Saratoga, had power to brace the spirit for the patriots’ fight, — and gloriously roll back the tide of menaced war from their homes, the soil of their birth, the graves of their fathers, and the everlasting hills of their freedom.

But I cannot any farther pursue this sketch of the life which tasked the youthful spirit of New England. Other labors there were to be done; other trials to pass through; other influences to discipline them and make them fit for the rest which remains to the heirs of liberty.

“So true it is — for such holy rest,  
Strong hands must toil — strong hearts endure.”

It was a people thus schooled to the love and attainments and championship of freedom — its season of infant helplessness now long past, the strength and generosity and fire of a mighty youth moving its limbs, and burning in its eye — a people, whose bright spirit had been fed midst the crowned heights, with hope and liberty and thoughts of power — this

was the people whom our Revolution summoned to the grandest destiny in the history of nations. They were summoned, and a choice put before them: slavery, with present ease and rest and enjoyment, but all inglorious — the death of the nation's soul; and liberty, with battle and bloodshed, but the spring of all national good, of art, of plenty, of genius. Liberty born of the skies! breathing of all their odors, and radiant with all their hues! They were bidden to choose, and they chose wisely and greatly.

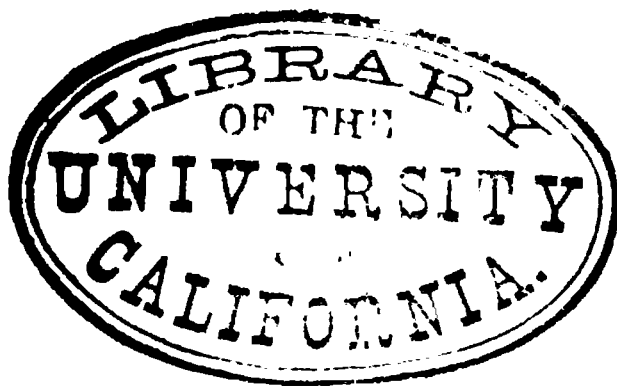
“ They linked their hands — they pledged their stainless faith  
In the dread presence of attesting Heaven —  
They bound their hearts to sufferings and death  
With the severe and solemn transport given  
To bless such vows. How man had striven,  
How man might strive, and vainly strive they knew,  
And called upon their God.

They knelt, and rose in strength.”

I have no need to tell you the story of the Revolution, if the occasion were to justify it. Some of you shared in its strife; for to that, as to every other great duty, Ipswich was more than equal. Some who have not yet tasted of death, some perhaps even now here, and others who have followed or who went before their illustrious La Fayette. All of you partake of its fruits. All of you are encompassed about by its glory!

But now that our service of commemoration is ended, let us go hence and meditate on all that it has taught us. You see how long the holy and beautiful city of our liberty and our power has been in building, and by how many hands, and at what cost. You see the towering and steadfast height to which it has

gone up, and how its turrets and spires gleam in the rising and setting sun. You stand among the graves of some — your townsmen, your fathers by blood, whose names you bear, whose portraits hang up in your homes, of whose memory you are justly proud — who helped in their day to sink those walls deep in their beds, where neither frost nor earthquake might heave them, — to raise aloft those great arches of stone, — to send up those turrets and spires into the sky. It was theirs to build; remember it is yours, under Providence, to keep the city, — to keep it from the sword of the invader, — to keep it from licentiousness and crime and irreligion, and all that would make it unsafe or unfit to live in, — to keep it from the fires of faction, of civil strife, of party spirit, that might burn up in a day the slow work of a thousand years of glory. Happy, if we shall so perform our duty that they who centuries hence shall dwell among our graves may be able to remember, on some such day as this, in one common service of grateful commemoration, their fathers of the *first* and of the *second* age of America, — those who through martyrdom and tempest and battle sought liberty, and made her their own, — and those whom neither ease nor luxury, nor the fear of man, nor the worship of man, could prevail on to barter her away!





## THE AGE OF THE PILGRIMS THE HEROIC PERIOD OF OUR HISTORY:

AN ADDRESS DELIVERED IN NEW YORK BEFORE THE NEW  
ENGLAND ASSOCIATION, DECEMBER, 1843.

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WE meet again, the children of the Pilgrims, to remember our fathers. Away from the scenes with which the American portions of their history are associated for ever, and in all men's minds, — scenes so unadorned, yet clothed to the moral eye with a charm above the sphere of taste: the uncrumbled rock, the hill from whose side those "delicate springs" are still gushing, the wide, brown, low woods, the sheltered harbor, the little island that welcomed them in their frozen garments from the sea, and witnessed the rest and worship of that Sabbath-day before their landing, — away from all those scenes, — without the limits of the fond old colony that keeps their graves, without the limits of the New England which is their wider burial place and fitter monument, — in the heart of this chief city of the nation into which the feeble land has grown, — we meet again, to repeat their names one by one, to retrace the lines of their character, to recall the lineaments and forms over which the grave has no power, to appreciate their virtues, to recount the course of their life full of heroic deeds, varied by sharpest trials, crowned by

transcendent consequences, to assert the directness of our descent from such an ancestry of goodness and greatness, to erect, refresh, and touch our spirits by coming for an hour into their more immediate presence, such as they were in the days of their human "agony of glory." The two centuries which interpose to hide them from our eye, centuries so brilliant with progress, so crowded by incidents, so fertile in accumulations, dissolve away for the moment as a curtain of clouds, and we are once more by their side. The grand and pathetic series of their story unrolls itself around us, vivid as if with the life of yesterday. All the stages, all the agents, of the process by which they and the extraordinary class they belonged to were slowly formed from the general mind and character of England; the influence of the age of the Reformation, with which the whole Christian world was astir to its profoundest depths and outermost limits, but which was poured out unbounded and peculiar on them, its children, its impersonation; that various persecution prolonged through two hundred years and twelve reigns, from the time of the preaching of Wickliffe, to the accession of James I., from which they gathered sadly so many precious fruits,—a large measure of tenderness of conscience, the sense of duty, force of will, trust in God, the love of truth, and the spirit of liberty; the successive development and growth of opinions and traits and determinations and fortunes by which they were advanced from Protestants to Republicans, from Englishmen to Pilgrims, from Pilgrims to the founders of a free Church, and the fathers of a free people in a new world; the retirement to Holland; the resolution to seek the

sphere of their duties and the asylum of their rights beyond the sea ; the embarkation at Delft Haven, — that scene of interest unrivalled, on which a pencil of your own has just enabled us to look back with tears, praise, and sympathy, and the fond pride of children ; that scene of few and simple incidents, just the setting out of a handful of not then very famous persons on a voyage, — quite the commonest of occurrences, — but which dilates as you gaze on it, and speaks to you as with the voices of an immortal song ; which becomes idealized into the auspicious going forth of a colony, whose planting has changed the history of the world, — a noble colony of devout Christians, educated and firm men, valiant soldiers, and honorable women ; a colony on the commencement of whose heroic enterprise the selectest influences of religion seemed to be descending visibly, and beyond whose perilous path are hung the rainbow and the westward star of empire ; the voyage of *The Mayflower* ; the landing ; the slow winter's night of disease and famine in which so many, the good, the beautiful, the brave, sunk down and died, giving place at last to the spring-dawn of health and plenty ; the meeting with the old red race on the hill beyond the brook ; the treaty of peace unbroken for half a century ; the organization of a republican government in *The Mayflower* cabin ; the planting of these kindred and coeval and auxiliary institutions without which such a government can no more live than the uprooted tree can put forth leaf or flower, — institutions to diffuse pure religion ; good learning ; austere morality ; the practical arts of administration ; labor, patience, obedience ; “ plain living and high thinking ; ” the securities of conservatism ;

the germs of progress ; the laying deep and sure, far down on the rock of ages, of the foundation stones of the imperial structure, whose dome now swells towards heaven ; the timely death at last, one after another, of the first generation of the original Pilgrims, not unvisited, as the final hour drew nigh, by visions of the more visible glory of a latter day, — all these high, holy, and beautiful things come thronging fresh on all our memories, beneath the influence of the hour. Such as we heard them from our mothers' lips, such as we read them in the histories of kings, of religions, and of liberty, they gather themselves about us ; familiar, certainly, but of an interest that can never die, — an interest intrinsic in themselves, yet heightened inexpressibly by their relations to that eventful future into which they have expanded, and through whose lights they show.

And yet, with all this procession of events and persons moving before us, and solicited this way and that by the innumerable trains of speculation and of feeling which such a sight inspires, we can think of nothing and of nobody, here and now, but the Pilgrims themselves. I cannot, and do not, wish for a moment to forget that it is their festival we have come to keep. It is their tabernacles we have come to build. It is not the Reformation, it is not colonization, it is not ourselves, our present or our future, it is not political economy or political philosophy, of which to-day you would have me say a word. We have a specific and single duty to perform. We would speak of certain valiant, good, and peculiar men, our fathers. We would wipe the dust from a few old, plain, noble urns. We would shun husky disquisitions, irrelevant

novelties, and small display ; would recall rather and merely the forms and lineaments of the heroic dead, — forms and features which the grave has not changed, over which the grave has no power.

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✓ The Pilgrims, then, of the first generation, just as they landed on the rock, are the topic of the hour. And in order to insure some degree of unity, and of definiteness of aim, and of impression, let me still more precisely propound as the subject of our thoughts, the Pilgrims, their age and their acts, as constituting a real and a true heroic period ; one heroic period in the history of this Republic.

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I regard it as a great thing for a nation to be able, as it passes through one sign after another of its zodiac pathway, in prosperity, in adversity, and at all times, — to be able to look to an authentic race of founders, and a historical principle of institution, in which it may rationally admire the realized idea of true heroism. Whether it looks back in the morning or evening of its day ; whether it looks back, as now we do, in the emulous fervor of its youth, or in the full strength of manhood, its breasts full of milk, its bones moistened with marrow ; or in dotage and faintness, the silver cord of union loosened, the golden bowl of fame and power broken at the fountain ; from the era of Pericles or the era of Plutarch, — it is a great and precious thing to be able to ascend to, and to repose its strenuous or its wearied virtue upon, a heroic age and a heroic race, which it may not falsely call its own. I mean by a heroic age and race, not exclusively or necessarily the earliest national age and race, but one, the course of whose history and the traits of whose character, and the

extent and permanence of whose influences, are of a kind and power not merely to be recognized in after time as respectable or useful, but of a kind and a power to kindle and feed the moral imagination, move the capacious heart, and justify the intelligent wonder of the world. I mean by a nation's heroic age a time distinguished above others, not by chronological relation alone, but by a concurrence of grand and impressive agencies with large results, — by some splendid and remarkable triumph of man over some great enemy, some great evil, some great labor, some great danger, — by uncommon examples of the rarer virtues and qualities, tried by an exigency that occurs only at the beginning of new epochs, the ascension of new dynasties of dominion or liberty, when the great bell of time sounds out another hour. I mean an age when extraordinary traits are seen, an age performing memorable deeds whereby a whole people, whole generations, are made different and made better. I mean an age and race to which the arts may go back, and find real historical forms and groups, wearing the port and grace, and going on the errand of demi-gods, — an age far off, on whose moral landscape the poet's eye may light, and reproduce a grandeur and beauty stately and eternal, transcending that of ocean in storm or at peace, or of mountains, staying as with a charm the morning star in his steep course, or the twilight of a summer's day, or voice of solemn bird, — an age "doctrinal and exemplary," from whose personages, and from whose actions, the orator may bring away an incident or a thought that shall kindle a fire in ten thousand hearts, as on altars to their country's glory

and to which the discouraged teachers of patriotism and morality to corrupted and expiring States may resort for examples how to live and how to die.

You see, then, that certain peculiar conditions and elements must meet to make a heroic period and a heroic race. You might call, without violence, the men who brought on and went through the war of Independence, or fell on the high places of its fields, — you might call them and their times heroic. But you would not so describe the half-dozen years from the peace to the Constitution, nor the wise men who framed that writing, nor the particular generation that had the sagacity and the tone to adopt it. Yet was this a grander achievement than many a Yorktown, many a Saratoga, many a Eutaw Springs; and this, too, in some just sense was the beginning of a national experience. To justify the application of this epithet, there must be in it somewhat in the general character of a period, and the character and fortunes of its actors, to warm the imagination and to touch the heart. There must, therefore, be some of the impressive forms of danger there; there must be the reality of suffering, borne with the dignity of an unvanquished soul; there must be pity and terror in the epic, as in the tragic volume; there must be a great cause, acting on a conspicuous stage, or swelling towards an imperial consummation; some great interest of humanity must be pleading there on fields of battle, or in the desert, or on the sea!

When these constituents, or such as these, concur, there is a heroic time and race. Other things are of small account. It may be an age of rude manners. Prominent men may cook their own suppers, like

Achilles, yet how many millions of imaginations, besides Alexander's, have trembled at his anger, shuddered at his revenge, sorrowed with his griefs, kindled with his passion of glory, melted as he turns gently and kindly from the tears of Priam, childless, or bereaved of his dearest and bravest by his unmatched arm! — divine faces, like that of Rose Standish in the picture, may look out, as hers there does, not from the worst possible head-dress; men may have worn steeple-crowned hats, and long, peculiar beards; they may have been austere, formal, intolerant; they may have themselves possessed not one ray of fancy, not one emotion of taste, not one susceptibility to the grace and sublimity that there are in nature and genius; yet may their own lives and deaths have been a whole Iliad in action, grander, sweeter, of more mournful pathos, of more purifying influences, than any thing yet sung by old or modern bard, in hall or bower. See, then, if we can find any of the constituents of such a period in the character, time, and fortunes of the Pilgrims.

“Plantations,” says Lord Bacon, “are amongst ancient, primitive, and heroical works.” But he is thinking of plantations as they are the king's works, like parks or palaces, or solemn temples, or steadfast pyramids, as they show forth the royal mind, and heighten the royal glory. We are to seek the heroic ingredient in the planter himself, in the ends for which he set forth, the difficulties with which he contended, the triumphs which he won, the teeming harvest sprung from seed sown with his tears. And we shall find it there.

It would be interesting, if it were possible, which



it is not, to pause for a moment first, and survey the old English Puritan character, of which the Pilgrims were a variety. Turn to the class of which they were part, and consider it well for a minute in all its aspects. I see in it an extraordinary mental and moral phenomenon. Many more graceful and more winning forms of the human nature there have been, and are, and shall be. Many men, many races, there are, have been, and shall be, of more genial dispositions, more tasteful accomplishment, a quicker eye for the beautiful of art and nature; less disagreeably absorbed, less gloomily careful and troubled about the mighty interests of the spiritual being or of the commonwealth; wearing a more decorated armor in battle; contributing more wit, more song, and heartier potations to the garland feast of life. But where, in the long series of ages that furnish the matter of history, was there ever one — where *one* — better fitted by the possession of the highest traits of man to do the noblest work of man, — better fitted to consummate and establish the Reformation, save the English constitution at its last gasp from the fate of all other European constitutions, and prepare, on the granite and iced mountain-summits of the New World, a still safer rest, for a still better liberty?

I can still less pause to trace the history of these men as a body, or even to enumerate the succession of influences — the spirit of the Reformation within, two hundred years of civil and spiritual tyranny without — which, between the preaching of Wickliffe and the accession of James I., had elaborated them out of the general mind of England; had at-

tracted to their ranks so much of what was wisest and best of their nation and time; had cut and burned, as it were, into their natures the iron quality of the higher heroism, — and so accomplished them for their great work there and here. The whole story of the cause and the effect is told in one of their own illustrations a little expanded: "Puritanism was planted in the region of storms, and there it grew. Swayed this way and that by a whirlwind of blasts all adverse, it sent down its roots below frost, or drought, or the bed of the avalanche; its trunk went up, erect, gnarled, seamed, not riven by the bolt; the evergreen enfolded its branches; its blossom was like to that 'ensanguined flower inscribed with woe.'"

One influence there was, however, I would mark, whose permanent and various agency on the doctrines, the character, and the destinies of Puritanism, is among the most striking things in the whole history of opinion. I mean its contact with the republican reformers of the continent, and particularly with those of Geneva.

In all its stages, certainly down to the peace of Westphalia, in 1648, all the disciples of the Reformation, wherever they lived, were in some sense a single brotherhood, whom diversity of speech, hostility of governments, and remoteness of place, could not wholly keep apart. Local persecutions drew the tie closer. In the reign of Mary, from 1553 to 1558, a thousand learned Englishmen fled from the stake at home, to the happier states of continental Protestantism. Of these, great numbers (I know not how many) came to Geneva. There they awaited the death of

the Queen; and then, sooner or later, but in the time of Elizabeth, went back to England.

I ascribe to that five years in Geneva an influence which has changed the history of the world. I seem to myself to trace to it, as an influence on the English race, a new theology; new politics; another tone of character; the opening of another era of time and of liberty. I seem to myself to trace to it the great civil war of England; the Republican Constitution framed in the cabin of *The Mayflower*; the divinity of Jonathan Edwards; the battle of Bunker Hill; the Independence of America. In that brief season, English Puritanism was changed fundamentally, and for ever. Why should we think this extraordinary? There are times when whole years pass over the head of a man, and work no change of mind at all. There are others again, when, in an hour, old things pass away, and all things become new! A verse of the Bible; a glorious line of some old poet, dead a thousand years before; the new-made grave of a child; a friend killed by a thunder-bolt; some single, more intolerable pang of despised love; some more intolerable act of "the oppressor's wrong, the proud man's contumely;" a gleam of rarer beauty on a lake, or in the sky; something slighter than the fall of a leaf, or a bird's song on the shore, — transforms him as in the twinkling of an eye. When, before or since, in the history of the world, was the human character subjected to an accumulation of agents so fitted to create it all anew as those which encompassed the English exiles at Geneva?

I do not make much account in this of the material grandeur and beauty which burst on their aston-

ished senses there, as around the solitude of Patmos, — although I cannot say that I know, or that anybody knows, that these mountain summits, ascending, “from their silent sea of pines,” higher than the thunder cloud, reposing among their encircling stars, while the storm sweeps by below, before which navies, forests, the cathedral tombs of kings, go down, all on fire with the rising and descending glory of the sun, wearing his rays as a crown, unchanged, unscaled; the contrasted lake; the arrowy Rhone and all his kindred torrents; the embosomed city, — I cannot say that these things have no power to touch and fashion the nature of man. I cannot say that in the leisure of exile a cultivated and pious mind, opened, softened, tinged with a long sorrow, haunted by a brooding apprehension, perplexed by mysterious providences, waiting for the unravelling of the awful drama in England, — a mind, if such there were, like Luther’s, like Milton’s, like Zwingle’s, — might not find itself stayed and soothed, and carried upward, at some evening hour, by these great symbols of a duration without an end, and a throne above the sky. I cannot say that such an impression might not be deepened by a renewed view, until the outward glory reproduced itself in the inward strength; or until

“The dilating soul, enwrapt, transfused,  
 Into the mighty vision passing there,  
 As in her natural form, swelled vast to heaven.”

Nobody can say that.

It is of the moral agents of change that I would speak. I pass over the theology which they learned there, to remark on the politics which they learned.

The asylum into which they had been admitted, the city which had opened its arms to pious, learned men, banished by the tyranny of an English throne and an English hierarchy, was a republic. In the giant hand of guardian mountains, on the banks of a lake lovelier than a dream of the Fairy Land, in a valley which might seem hollowed out to enclose the last home of liberty, there smiled an independent, peaceful, law-abiding, well-governed, and prosperous commonwealth. There was a state without king or nobles; there was a church without a bishop; there was a people governed by grave magistrates which it had selected, and equal laws which it had framed. And to the eye of these exiles, bruised and pierced through by the accumulated oppressions of a civil and spiritual tyranny, to whom there came tidings every day from England that another victim had been struck down, on whose still dear home in the sea every day a gloomier shadow seemed to fall from the frowning heights of power, was not that republic the brightest image in the whole transcendent scene? Do you doubt that they turned from Alpine beauty and Alpine grandeur, to look with a loftier emotion, for the first time in their lives, on the serene, unveiled statue of classical Liberty? Do you not think that this spectacle, in these circumstances, prompted in such minds pregnant doubts, daring hopes, new ideas, thoughts that wake to perish never, doubts, hopes, ideas, thoughts, of which a new age is born? Was it not then and there that the dream of republican liberty — a dream to be realized somewhere, perhaps in England, perhaps in some region of the Western sun — first mingled it-

self with the general impulses, the garnered hopes, of the Reformation? Was that dream ever let go, down to the morning of that day when the Pilgrims met in the cabin of their shattered bark, and there, as she rose full on the stern New England sea, and the voices of the November forest rang through her torn topmast rigging, subscribed the first republican constitution of the New World? I confess myself of the opinion of those who trace to this spot and that time the Republicanism of the Puritans. I do not suppose, of course, that they went back with the formal design to change the government of England. The contests and the progress of seventy years more were required to mature and realize so vast a conception as that. I do not suppose, either, that learned men — students of antiquity, the readers of Aristotle and Thucydides and Cicero, the contemporaries of Buchanan, the friends of his friend, John Knox — needed to go to Geneva to acquire the idea of a commonwealth. But there they saw the problem solved. Popular government was possible. The ancient prudence and the modern, the noble and free genius of the old Paganism and the Christianity of the Reformation, law and liberty, might be harmoniously blended in living systems. This experience they never forgot.

I confess, too, that I love to trace the pedigree of our transatlantic liberty, thus backwards through Switzerland, to its native land of Greece. I think this the true line of succession, down which it has been transmitted. There was a liberty which the Puritans found, kept, and improved in England. They would have changed it, and were not able.

But that was a kind which admitted and demanded an inequality of many; a subordination of ranks; a favored eldest son; the ascending orders of a hierarchy; the vast and constant pressure of a superincumbent crown. It was the liberty of feudalism. It was the liberty of a limited monarchy, overhung and shaded by the imposing architecture of great antagonistic elements of the state. Such was not the form of liberty which our fathers brought with them. Allowing, of course, for that anomalous tie which connected them with the English crown three thousand miles off, it was republican freedom, as perfect the moment they stepped on the rock as it is to-day. It had not been all born in the woods of Germany; by the Elbe or Eyder; or the plains of Runnymede. It was the child of other climes and days. It sprang to life in Greece. It gilded next the early and the middle age of Italy. It then reposed in the hallowed breast of the Alps. It descended at length on the iron-bound coast of New England, and set the stars of glory there. At every stage of its course, at every reappearance, it was guarded by some new security; it was embodied in some new element of order; it was fertile in some larger good; it glowed with a more exceeding beauty. Speed its way; perfect its nature!

"Take, Freedom! take thy radiant round,  
When dimmed revive, when lost return,  
Till not a shrine through earth be found  
On which thy glories shall not burn."

Thus were laid the foundations of the mind and character of Puritanism. Thus, slowly, by the

breath of the spirit of the age, by the influence of undefiled religion, by freedom of the soul, by much tribulation, by a wider survey of man, nature, and human life, it was trained to its work of securing and improving the liberty of England, and giving to America a better liberty of her own. Its day over and its duty done, it was resolved into its elements, and disappeared among the common forms of humanity, apart from which it had acted and suffered, above which it had to move, out of which by a long process it had been elaborated. Of this stock were the Pilgrim Fathers. They came of heroical companionship. Were their works heroical?

The planting of a colony in a new world, which may grow, and which does grow, to a great nation, where there was none before, is intrinsically, and in the judgment of the world, of the largest order of human achievement. Of the chief of men are the *conditores imperiorum*. To found a state upon a waste earth, wherein great numbers of human beings may live together, and in successive generations, socially and in peace, knit to one another by the innumerable ties, light as air, stronger than links of iron, which compose the national existence,—wherein they may help each other, and be helped in bearing the various lot of life,—wherein they may enjoy and improve, and impart and heighten enjoyment and improvement,—wherein they may together perform the great social labors, may reclaim and decorate the earth, may disinter the treasures that grow beneath its surface, may invent and polish the arts of usefulness and beauty, may perfect the loftier arts of virtue and empire, open and work the



richer mines of the universal youthful heart and intellect, and spread out a dwelling for the Muse on the glittering summits of Freedom, — to found such a state is first of heroical labors and heroical glories. To build a pyramid or a harbor, to write an epic poem, to construct a system of the universe, to take a city, are great, or may be, but far less than this.

He, then, who sets a colony on foot, designs a great work. He designs all the good, and all the glory, of which, in the series of ages, it may be the means; and he shall be judged more by the lofty ultimate aim and result than by the actual instant motive. You may well admire, therefore, the solemn and adorned plausibilities of the colonizing of Rome from Troy, in the *Æneid*; though the leader had been burned out of house and home, and could not choose but go. You may find in the flight of the female founder of the gloomy greatness of Carthage a certain epic interest; yet was she running from the madness of her husband, to save her life. Emigrations from our stocked communities of undeified men and women, — emigrations for conquest, for gold, for very restlessness of spirit, — if they grow towards an imperial issue, have all thus a prescriptive and recognized ingredient of heroism. But when the immediate motive is as grand as the ultimate hope was lofty, and the ultimate success splendid, then, to use an expression of Bacon's, "the music is fuller."

I distinguish, then, this enterprise of our fathers, in the first place, by the character of the immediate motive.

And that was, first, a sense of religious duty. They had adopted opinions in religion which they

fully believed they ought to profess, and a mode of public worship and ordinances which they fully believed they ought to observe. They could not do so in England; and they went forth — man, woman, the infant at the breast — across an ocean in winter, to find a wilderness where they could. To the extent of this motive, therefore, they went forth to glorify God, and by obeying his written will, and his will unwritten; but uttered in the voice of conscience concerning the chief end of man.

It was next a thirst for freedom from unnecessary restraint, which is tyranny, — freedom of the soul, freedom of thought, a larger measure of freedom of life, — a thirst which two centuries had been kindling, a thirst which must be slaked, though but from the mountain torrent, though but from drops falling from the thunder cloud, though but from fountains lone and far, and guarded as the diamond of the desert.

These were the motives, — the sense of duty, and the spirit of liberty. Great sentiments, great in man, in nations, “pregnant with celestial fire!” — wherewithal could you fashion a people for the contentions and honors and uses of the imperial state so well as by exactly these? To what, rather than these, would you wish to trace up the first beatings of the nation’s heart? If, from the whole field of occasion and motive, you could have selected the very passion, the very chance, which should begin your history, the very texture and pattern and hue of the glory which should rest on its first days, could you have chosen so well? The sense of duty, the spirit of liberty, not prompting to vanity or luxury or dishonest fame, to glare or clamor or hollow circumstance of being,

silent, intense, earnest, of force to walk through the furnace of fire, yea, the valley of the shadow of death, to open a path amid the sea, to make the wilderness to bud and blossom as the rose, to turn back half a world in arms, to fill the amplest measure of a nation's praise!

I am glad, then, that one of our own poets could truly say, —

“Nor lure of conquest's meteor beam,  
Nor dazzling mines of fancy's dream,  
Nor wild adventure's love to roam,  
Brought from their fathers' ancient home,  
O'er the wide sea, the Pilgrim host!”

I should be glad of it, if I were looking back to the past of our history merely for the moral picturesque, — if I were looking back merely to find splendid moral scenery, mountain elevations, falls of water watched by the rainbow of sunlight and moonlight, colossal forms, memorable deeds, renown and grace that could not die, — if I were looking merely to find materials for sculpture, for picture, for romance, — subjects for the ballad by which childhood shall be sung to sleep, subjects for the higher minstrelsy that may fill the eye of beauty and swell the bosom of manhood, — if I were looking back for these alone, I should be glad that the praise is true. Even to such an eye, the embarkation of the Pilgrims and the lone path of The Mayflower upon the “astonished sea” were a grander sight than navies of mightiest admirals seen beneath the lifted clouds of battle; grander than the serried ranks of armed men moving by tens of thousands to the music of an unjust glory. If you take to pieces and carefully inspect all the efforts, all the situations, of that moral sublime which gleams forth, here

and there, in the true or the feigned narrative of human things, — deaths of martyrs, or martyred patriots, or heroes in the hour of victory, revolutions, reformatations, self-sacrifices, fields lost or won, — you will find nothing nobler at their source than the motives and the hopes of that ever-memorable voyage. These motives and these hopes — the sacred sentiments of duty, obedience to the will of God, religious trust, and the spirit of liberty — have inspired, indeed, all the beautiful and all the grand in the history of man. The rest is commonplace. “The rest is vanity; the rest is crime.”

I distinguished this enterprise of our fathers, next, by certain peculiarities of trial which it encountered and vanquished on the shores of the New World. You have seen the noble spring of character and motive from which the current of our national fortunes has issued forth. You can look around you to-day, and see into how broad and deep a stream that current has expanded; what beams of the sun, still climbing the eastern sky, play on its surface; what accumulations of costly and beautiful things it bears along; through what valley of happiness and rest it rolls towards some mightier sea. But turn for a moment to its earlier course.

✓ The first generation of the Pilgrims arrived in 1620. I suppose that within fifty years more that generation had wholly passed away. Certainly its term of active labor and responsible care had been accomplished. Looking to its actual achievements, our first, perhaps our final, impulse is, not to pity, but to congratulate, these ancient dead on the felicity and the glory of their lot on earth. In that brief time,

not the full age of man,—in the years of nations, in the larger cycles of the race, less than a moment,—the New England which to-day we love, to which our hearts untravelled go back, even from this throne of the American commercial world,—that New England, in her groundwork and essential nature, was established for ever between her giant mountains and her espoused sea. There already—ay, in The Mayflower's cabin, before they set foot on shore—was representative republican government. There were the congenial institutions and sentiments from which such government imbibes its power of life. There already, side by side, were the securities of conservatism and the germs of progress. There already were the congregational church and the free school; the trial by jury; the statutes of distributions; just so much of the written and unwritten reason of England as might fitly compose the jurisprudence of liberty. By a happy accident, or instinct, there already was the legalized and organized town, that seminary and central point, and exemplification of elementary democracy. Silently adopted, everywhere and in all things assumed, penetrating and tingeing every thing,—the church, the government, law, education, the very structure of the mind itself,—was the grand doctrine, that all men are born equal and born free, that they are born to the same inheritance exactly of chances and of hopes; that every child, on every bosom, of right ought to be, equally with every other, invited and stimulated, by every social and every political influence, to strive for the happiest life, the largest future, the most conspicuous virtue, the fullest mind, the brightest wreath.

There already were all, or the chief and higher influences, by which comes the heart of a nation. There was reverence of law, — “Our guardian angel, and our avenging fiend.” There were the councils of the still venerated aged. There was the open Bible. There were marriage, baptism, the burial of the dead, the keeping of the Sabbath-day, the purity of a sister’s love, a mother’s tears, a father’s careful brow. All these there had been provided and garnered up. With how much practical sagacity they had been devised; how skilfully adapted to the nature of things and the needs of men; how well the principle of permanence had been harmonized with the principle of progression; what diffusiveness and immortality of fame they will insure, — we have lived late enough to know. On these works, legible afar off, cut deep beyond the tooth of time, the long procession of the generations shall read their names.

But we should miss the grandest and most salutary lesson of our heroic age, we should miss the best proof and illustration of its heroic claims, if we should permit the wisdom with which that generation acted to hide from our view the intensity and dignity with which they suffered. It was therefore that I was about to distinguish this enterprise, in the second place, by certain peculiarities of its trials.

The general fact and the mournful details of that extremity of suffering which marked the first few years from the arrival, you all know. It is not these I design to repeat. We have heard from our mothers’ lips, that, although no man or woman or child perished by the arrow, mightier enemies encompassed them at the very water’s edge. Of the whole num-

ber of one hundred, one half landed to die within a year, — almost one half in the first three months, — to die of disease brought on by the privations and confinement of the voyage, by wading to the land, by insufficient and unfit food and dress and habitation, — brought on thus, but rendered mortal by want of that indispensable and easy provision which Christianity, which Civilization everywhere makes for all their sick. Once seven only were left in health and strength to attend on the others. There and thus they died. “In a battle,” said the admirable Robinson, writing from Leyden to the survivors in the June after they landed, — “in a battle it is not looked for but that divers should die; it is thought well for a side, if it get the victory, though with the loss of divers, if not too many or too great.” But how sore a mortality in less than a year, almost within a fourth of that time, of fifty in one hundred!

In a late visit to Plymouth, I sought the spot where these earlier dead were buried. It was on a bank, somewhat elevated, near, fronting, and looking upon the waves, — symbol of what life had been to them, — ascending inland behind and above the rock, — symbol also of that Rock of Ages on which the dying had rested in the final hour. As the Pilgrims found these localities, you might stand on that bank and hear the restless waters chafe and melt against that steadfast base; the unquiet of the world composing itself at the portals of the grave. There certainly were buried the first governor, and Rose, the wife of Miles Standish. “You will go to them,” wrote Robinson in the same letter from which I have quoted; “but they shall not return to you.”

When this sharp calamity had abated, and before, came famine. "I have seen," said Edward Winslow, "strong men staggering through faintness for want of food." And after this, and during all this, and for years, there brooded in every mind, not a weak fear, but an intelligent apprehension, that at any instant—at midnight, at noonday, at the baptism, at the burial, in the hour of prayer—a foe more cruel than the grave might blast in an hour that which disease and want had so hardly let live. How they bore all this, you also know. One fact suffices. When in April The Mayflower sailed for England, not one Pilgrim was found to go.

The peculiarity which has seemed to me to distinguish these trials of the Pilgrim Age from those, from the chief of those, which the general voice of literature has concurred to glorify as the trials of heroism; the peculiarity which gives to these, and such as these, the attributes of a truer heroism, is this,—that they had to meet them on what was then an humble, obscure, and distant stage; with no numerous audience to look on and applaud, and cast its wreaths on the fainting brow of him whose life was rushing with his blood, and unsustained by a single one of those stronger and more stimulating and impulsive passions and aims and sentiments, which carry a soldier to his grave of honor as joyfully as to the bridal bed. Where were the Pilgrims while in this furnace of affliction? Who saw and cared for them? A hundred persons, understood to be Lollards, or Precisians, or Puritans, or Brownists, had sailed away some three thousand miles, to arrive on a winter's coast, in order to be where they could



hear a man preach without a surplice! That was just about all, England, or the whole world of civilization, at first knew, or troubled itself to believe, about the matter. If every one had died of lung fever, or starved to death, or fallen by the tomahawk, that first winter, and The Mayflower had carried the news, I wonder how many of even the best in England—the accomplished, the beautiful, the distinguished, the wise—would have heard of it. A heart, or more than one, in Leyden, would have broken; and that had been all. I wonder if King James would have cried as heartily as in the “Fortunes of Nigel” he does in anticipation of his own death and the sorrow of his subjects! I wonder what in a later day the author of “Hudibras” and the author of the “Hind and Panther” would have found to say about it, for the wits of Charles the Second’s court. What did anybody even in Puritan England know of these Pilgrims? They had been fourteen years in Holland; English Puritanism was taking care of itself! They were alone on the earth; and there they stood directly, and only, in their great Taskmaster’s eye. Unlike even the martyrs, around whose ascending chariot-wheels and horses of fire, congregations might come to sympathize, and bold blasphemers to be defied and stricken with awe,—these were all alone. Those two ranges of small houses, not over ten in all, with oil paper for windows; that ship, The Mayflower, riding at the distance of a mile,—these were every memorial and trace of friendly civilization in New England. Primeval forests, a winter sea, a winter sky, enclosed them about, and shut out every approving and every

sympathizing eye of man! To play the part of heroism on its high places is not difficult. To do it alone, as seeing Him who is invisible, was the gigantic achievement of our age and our race of heroism.

I have said, too, that a peculiarity in their trial was, that they were unsustained altogether by every one of the passions, aims, stimulants, and excitations,—the anger, the revenge, the hate, the pride, the awakened dreadful thirst of blood, the consuming love of glory, that burn, as in volcanic isles, in the heart of a mere secularized heroism. Not one of all these aids did, or could, come in use for them at all. Their character and their situation, both, excluded them. Their enemies were disease, walking in darkness and wasting at noonday; famine which, more than all other calamity, bows the spirit of man, and teaches him what he is; the wilderness; spiritual foes in the high places of the unseen world. Even when the first Indian was killed,—in presence of which enemy, let me say, not one ever quailed,—the exclamation of Robinson was, “Oh, that you had converted some, before you had killed any!”

Now, I say, the heroism which in a great cause can look all the more terrible ills that flesh is heir to calmly in the face, and can tread them out as sparks under its feet without these aids, is at least as lofty a quality as that which cannot. To my eye, as I look back, it looms on the shores of the past with a more towering grandeur. It seems to me to speak from our far ancestral life, a higher lesson, to a nobler nature; certainly it is the rarer and more difficult species. If one were called on to select the more glittering of the instances of military heroism

to which the admiration of the world has been most attracted, he would make choice, I imagine, of the instance of that desperate valor, with which, in obedience to the laws, Leonidas and his three hundred Spartans, cast themselves headlong at the passes of Greece on the myriads of their Persian invaders. From the simple page of Herodotus, longer than from the Amphictyonic monument, or the games of the commemoration, that act speaks still to the tears and praise of all the world. Yet I agree with a late brilliant writer in his speculation on the probable feelings of that devoted band, left alone, or waiting, till day should break, the approach of a certain death in that solitary defile. "Their enthusiasm, and that rigid and Spartan spirit which had made all ties subservient to obedience to the law, all excitement tame to that of battle, all pleasures dull to the anticipation of glory, probably rendered the hour preceding death the most enviable of their lives. They might have exulted in the same elevating fanaticism which distinguished afterwards the followers of Mahomet, and have seen that opening paradise in immortality below, which the Moslemin beheld in anticipation above." Judge if it were not so. Judge if a more decorated and conspicuous stage was ever erected for the transaction of a deed of fame. Every eye in Greece; every eye throughout the world of civilization, — throughout even the civilized and barbaric East, — was felt to be turned directly on the playing of that brief part. There passed round that narrow circle in the tent, the stern, warning image of Sparta, pointing to their shields and saying, "With these to-morrow, or upon them!" Consider that

the one concentrated and comprehensive sentiment, graven on their souls as by fire and by steel ; by all the influences of their whole life ; by the mother's lips ; by the father's example ; by the law ; by venerated religious rites ; by public opinion strong enough to change the moral qualities of things ; by the whole fashion and nature of Spartan culture, was this : seek first, seek last, seek always, the glory of conquering or falling on a well-fought field. Judge if that night, as they watched the dawn of the last morning their eyes could ever see ; as they heard with every passing hour the hum of the invading host, his dusky lines stretched out without end, and now almost encircling them around ; as they remembered their unprofaned home, city of heroes and of the mothers of heroes ; judge if watching there in the gateway of Greece, this sentiment did not grow to the nature of madness ; if it did not run in torrents of literal fire to and from the laboring heart. When morning came and passed, and they had dressed their long locks, and when at noon the countless and glittering throng was seen at last to move, was it not with rapture, as if all the enjoyment of all the sensations of life was in that one moment, that they cast themselves, with the fierce gladness of mountain torrents, on that brief revelry of glory ?

I acknowledge the splendor of that transaction in all its aspects. I admit its morality, too, and its useful influence on every Grecian heart, in that her great crisis. And yet do you not think, that whoso could by adequate description bring before you that first winter of the Pilgrims ; its brief sunshine ; the

nights of storms slow waning ; its damp or icy breath felt on the pillow of the dying ; its destitution ; its contrasts with all their former experience of life ; its insulation and utter loneliness ; its death-beds and burials ; its memories ; its apprehensions ; its hopes ; the consultations of the prudent ; the prayers of the pious ; the occasional hymn which may have soothed the spirit of Luther, in which the strong heart threw off its burthen and asserted its unvanquished nature ; do you not think that whoso could describe them calmly waiting in that defile, lonelier and darker than Thermopylæ, for a morning that might never dawn, or might show them when it did, a mightier arm than the Persian, raised as in act to strike, would he not sketch a scene of more difficult and rarer heroism, — a scene, as Wordsworth has said, “Melancholy; yea dismal, yet consolatory and full of joy,” — a scene even better fitted than that to succor, to exalt, to lead the forlorn hopes of all great causes till time shall be no more ?

I can seem to see, as that hard and dark season was passing away, a diminished procession of these Pilgrims following another, dearly loved and newly dead, to that bank of graves, and pausing sadly there before they shall turn away to see that face no more. In full view from that spot is The Mayflower still riding at her anchor, but to sail in a few days more for England, leaving them alone, the living and the dead, to the weal or woe of their new home. I cannot say what was the entire emotion of that moment and that scene ; but the tones of the venerated elder’s voice, as they gathered round him, were full of cheerful trust, and they went to hearts

as noble as his own. "This spot," he might say, "this line of shore, yea, this whole land, grows dearer daily, were it only for the precious dust which we have committed to its bosom. I would sleep here and have my own hour come, rather than elsewhere, with those who shared with us in our exceeding labors, whose burdens are now unloosed for ever. I would be near them in the last day, and have a part in their resurrection. And now," he proceeded, "let us go from the side of the grave to work with all our might that which we have to do. It is on my mind that our night of sorrow is well-nigh ended, and that the joy of our morning is at hand. The breath of the pleasant south-west is here, and the singing of birds. The sore sickness is stayed; somewhat more than half our number still remain; and among these some of our best and wisest, though others are fallen on sleep. Matter of joy and thanksgiving it is, that among you all, the living and the dead, I know not one, even when disease had touched him, and sharp grief had made his heart as a little child's, who desired, yea, who could have been entreated, to go back to England by yonder ship. Plainly is it God's will that we stand or fall here. All His providences these hundred years declare it as with beams of the sun. Did He not set His bow in the clouds in that bitterest hour of our embarking, and build His glorious ark upon the sea for us to sail through hitherward? Wherefore, let us stand in our lot! If He prosper us, we shall found a church against which the gates of hell shall not prevail; and a colony, yea, a nation, by which all other nations shall be healed. Millions


shall spring from our loins, and trace back with lineal love their blood to ours. Centuries hereafter, in great cities, the capitals of mighty States, from the tribes of a common Israel, shall come together the good, the eminent, the beautiful, to remember our dark day of small things; yea, generations shall call us blessed!"

Without a sigh, calmly, with triumph, they sent The Mayflower away, and went back, these stern, strong men, all, all, to their imperial labors.

I have said that I deemed it a great thing for a nation, in all the periods of its fortunes, to be able to look back to a race of founders and a principle of institution in which it might seem to see the realized idea of true heroism. That felicity, that pride, that help, is ours. Our past — both its great eras, that of settlement and that of independence — should announce, should compel, should spontaneously evolve as from a germ, a wise, moral, and glorious future. These heroic men and women should not look down on a dwindled posterity. It should seem to be almost of course, too easy to be glorious, that they who keep the graves, bear the name, and boast the blood, of men in whom the loftiest sense of duty blended itself with the fiercest spirit of liberty, should add to their freedom, justice; justice to all men, to all nations; justice, that venerable virtue, without which freedom, valor, and power, are but vulgar things.

And yet is the past nothing, even our past, but as you, quickened by its examples, instructed by its experience, warned by its voices, assisted by its accumulated instrumentality, shall reproduce it in the

life of to-day. Its once busy existence, various sensations, fiery trials, dear-bought triumphs; its dynasty of heroes, all its pulses of joy and anguish, and hope and fear, and love and praise, are with the years beyond the flood. "The sleeping and the dead are but as pictures." Yet, gazing on these, long and intently and often, we may pass into the likeness of the departed, — may emulate their labors, and partake of their immortality.





## THE POWER OF A STATE DEVELOPED BY MENTAL CULTURE:

A. LECTURE DELIVERED BEFORE THE MERCANTILE LIBRARY  
ASSOCIATION, NOVEMBER 18, 1844.

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THE transition from the scenes which have been passing before us for the last few months, to such a spectacle as this, is so sudden, so delightful, that I can scarcely refrain, as I cast my eyes over this composed and cultivated assembly, from exclaiming, "Hail, holy light!" The clamor, tumult, and stimulations which attend that great trial and great task of liberty through which we have just gone, — a nation's choice of its ruler, — those vast gatherings of the people, — not quite in their original and ultimate sovereignty above or without the law, but in mass and bodily numbers without number; processions without end, — by daylight and torchlight — under the law; the stormy wave of the multitude rising and falling to the eloquence of liberty, — if it were eloquence at all; the hope, the fear, the anxious care, the good news waited for and not coming, the bad news riding somewhere about a couple of hundred miles in advance of the express of either side; the cheers of your co-workers; the hissings and groanings, not to be uttered, of your opponents, — all are passed away as dreams. We find ourselves collected with-

out distinction of party, without memory of party, in the security and confidence of reconciliation, or at least of truce, in the still air, — upon the green and neutral ground of thoughts and studies common and grateful to us all. To look backward brings to mind what Lenox says to Macbeth in the morning, before he had heard of the murder of the king.

“The night has been unruly; where we lay  
Our chimneys were blown down, and as they say,  
Lamentings heard in the air,  
And prophesyings, with accents terrible,  
Of dire combustion and confused events  
New-hatched to the woful time!”



The night has passed, and the morning of an eventful day is risen. So much we know; and it is all we know.

Delightful, in some sense, as I feel this change of scene, of society, and of influences to be, I found myself unable and unwilling, in the selection of a topic for the hour of this meeting, altogether to forget the occasion to which I have referred. I have rather desired to see if we might not all, without distinction of party, (for of the existence of party we know nothing here,) — if we might not all, the winner and the loser — contrive to learn some useful lesson from the occasion. All that happens in the world of Nature or Man, — every war; every peace; every hour of prosperity; every hour of adversity; every election; every death; every life; every success and every failure, — all change, — all permanence, — the perished leaf; the unutterable glory of stars, — all things speak truth to the thoughtful spirit.

“List ever, then, to the words of Wisdom, whether she speaketh to the soul in the full chords of revela-

tion, in the teaching of earth or air or sky, or in the still melodies of thought!"

I wonder, then, if during the labors and excitations of the late election, and in the contemplation of possible results near and far forward, the inquiry has not occurred to you, as to me it has a thousand times, is there no way, are there no expedients by which such a State as Massachusetts, for example, may remain in the Union, performing the duties, partaking as far as may be of the good of Union, and yet be in some greater degree than now she is independent of and unaffected by the administrative and legislative policy of Union? Is there no way to secure to ourselves a more steady, sure, progressive prosperity, — such a prosperity in larger measure than we are apt to imagine, — whatever national politics come uppermost? Is there no way to sink the springs of our growth and greatness so deep, that the want of a little rain or a little dew, a little too much sunshine or too much shade from Washington, shall not necessarily cut off "the herd from the stalls" and cause the "fields to yield no meat"? Must it be, that because the great central regions, the valley of the Mississippi, the undefined and expanding South-west, have attracted to themselves the numerical supremacy — that our day is done? Is our voice, once

"Their liveliest pledge  
Of hope in fears and dangers, heard so oft  
In worst extremes, and on the perilous edge  
Of battle when it raged in all assaults  
Their surest signal," —

is that voice to be heard no more? Have we declined, must we decline, into the condition of a

province — doomed to await passively the edict of a distant palace, which shall cause it to thrive to-day and pine to-morrow; now raise it to a gaudy and false prosperity, and then press “its beaming forehead to the dust”? Or is there a way by which we yet may be, and for ever may be, the arbiters of our own fortunes; may yet be felt in the counsels of America; may yet help to command a national policy which we approve, or at least to bear unharmed a national policy which we condemn? Must we pale and fade and be dissolved in the superior rays of the great constellation, or yet “flame in the forehead of the morning sky” with something of the brightness of our rising?

I take it for granted in all such speculations, in all such moods as this, that we are to remain in the Federal Union. With our sisters of the Republic we would live — we would die —

“One hope, one lot, one life, one glory.”

I agree, too, that whatever we may do for Massachusetts, the influence of national politics upon our local prosperity must always be inappreciably great for evil or for good.

It is of individuals, not States, that Goldsmith exclaims,

“How small, of all that human hearts endure,  
That part which kings or laws can cause or cure!”

The joy and sorrow, the greatness and decline, of nations, are to a vast extent the precise work of kings or laws; and although in our system every State has its own government and its own civil polity, to which important functions are assigned, yet when you con-

sider that it is to the great central power that war, peace, diplomacy, finance, our whole intercourse with the world, trade, as far as winds blow or waters roll, the trust of our glory, the protection of our labor, are confided, — nobody can indulge the dream that a State may remain in the Union at all, and yet be insensible of the good and evil, the wisdom or the folly, the honor and the shame, of its successive administrations.

And yet I think that the statesmen of Massachusetts may well ask themselves, whether there are no expedients of empire or imperial arts worthy her, — worthy them, — by which they may enable her either to retain consideration and lead in the general government, to be conspicuous and influence an American opinion, by which they may enable her either to extort what she calls good policy, — or else to break the force of what she calls occasional bad policy, which she cannot hinder and to which she must submit.

Passing over all other expedients as unsuitable to the character and relations of this assembly, is it not worth while to consider this matter, for example, — whether a higher degree of general mental culture, a more thorough exercising and accomplishing of the whole mass of our popular and higher mind, more knowledge, a wider diffusion of knowledge, loftier attainments in useful and in graceful knowledge than we have ever reached, or that any State has reached, might not help us to meet the enlarging demand of time, and the successive crises of the commonwealth? Is it certain that in our speculations on the causes of the grandeur and decay, of the wealth and the pov-

erty, the importance and the insignificance, of States, we have given quite as high a place as it deserves to the intellect of the State? Have we not thought too much of capacious harbors or teeming inland, navigable rivers, fleets of merchant ships and men-of-war, fields of wheat, plantations of cotton and rice and sugar, too much of tariffs and drawbacks and banks, and too little, too little, of that soul, by which only, the nation shall be great and free? In our speculations on knowledge and the bettering of the mind, is it right or is it wise to treat them as useful or as ornamental individual accomplishments alone, and not sometimes also to think of them as mines of national riches wealthier than Ormus or Ind, as perennial and salient springs of national power, as foundations, laid far below earthquake or frost, of a towering and durable public greatness? After all, this is the thought I would present to you, — is there a surer way of achieving the boast of Themistocles, that he knew how to make a small State a great one, than by making it wise, bright, knowing, apprehensive, quick-witted, ingenious, thoughtful; by communicating to the whole mass of its people the highest degree of the most improved kind of education in its largest sense, which is compatible with the system of practical things; by beginning at the cradle, by touching the infant lip with fire from heaven; by perfecting the methods of the free schools, and of all schools, so that the universal understanding shall be opened, kindled, guided at its very birth, and set forward, without the loss of a day, on the true path of intellectual life; by taking care that all the food of which the soul of the people

eats shall be wholesome and nutritious, — that the books and papers which they read, the sermons and speeches which they hear, shall possess at least a predominance of truth, fact, honesty, of right and high thought, just and graceful feeling; by providing institutions to guide the mature mind to the heights of knowledge; by collections of art and taste that shall unfold and instruct the love of beauty; by planting betimes the gardens of a divine philosophy, and spreading out the pavilion of the Muses?

Let us think a little of mental culture as the true local policy of Massachusetts.

I do not propose to repeat any thing quite so general and elementary as that easy commonplace which my Lord Bacon has illustrated so fondly and so gorgeously, that learned States have been usually prosperous States, that the eras of lettered glory have been eras of martial and civil glory too, that an instructed people has been for the most part a rich, laborious, energetic, and powerful people. The historical fact is undoubtedly as he records it; and it is as encouraging as it is true. I wish to unfold the operations and uses of learning and culture in a little more detail, and with a more confined and local reference to the case before us. Mental culture, as the true local policy of Massachusetts, I have said, is the topic to which I am restricted.

Let me say, however, in the first place, generally, that mental culture should contribute to our power and our consideration, by communicating or by developing those traits of character that lie at the foundation of all splendid and remarkable national distinction. All the greatness which is recorded in

the histories or the epics of all the great States of the earth, all the long series of their virtues, all their compass of policy, all their successful contention with nature or with man, all their great works well performed, all their great dangers bravely met, all the great perils which harass them resisted and scattered, all their industrial renown, their agriculture, their trade, their art, their science, their libraries, their architecture, all their contributions to thought, to humanity, to progress, all the charm that attaches to their living name and that lingers on the capacious tomb into which at last they go down, — all this you trace at length to a few energetic qualities of mind and character. It does not spring from any fortuitous concurrence of any quantity of mere material atoms ; it is not the growth of any number of hundred years of rain and sunshine falling upon the surface of the earth ; it is not a spontaneous or necessary development and manifestation according to some mechanical and organic laws ; — it is a production of the human mind ; it is a creation of the human will ; it is just the nobler and larger parts of man, in their most appropriate and grandest exemplifications. All of it rests at last on enterprise, energy, curiosity, perseverance, fancy, talent, — loftily directed, heroically directed. A few simple, commanding traits, a dignified aim, a high conception of the true glory of a State, — with a little land and water to work with, — and you have a great nation. I approve, therefore, of these expressions : the Roman mind, the Grecian mind, the Oriental mind, the European mind. There is true philosophy and an accurate history in them. They penetrate to the true criteria which distinguish



racés,—the mental criteria. It is not her “plumed and jewelled turban,” her tea-plant and her cinnamon-plant, her caves, temples, and groves of palms, her exhaustless fertility of soils, her accumulations of imperial treasures,—“barbaric pearl and gold,” as in a dream of the Arabian Nights,—by which I recognize the primeval East; it is that universal childhood of reason,—not a day older than in the age of Sardanapalus or of Ninus,—that subjugated popular character bowed to the earth beneath the superincumbent despotism of ages, that levity and vanity and effeminacy of the privileged few, the elaborate luxury in which their lives are steeped, their poetry of the fancy, their long contemplations on nature and divinity, on which the whole intellect of the East might brood for six thousand years and not bring away as much truth as is taught in six months to the oldest boys and girls in our high schools,—these are the true characteristics of Asia; these it is which solve all the facts of her history; these it is which, put into action, are her history itself. And then passing westward to Athens,—to Attica,—is it her area, not quite so large, not half as fertile, as our own Rhode Island, her mountain steeps sprinkled with dwarf oaks and fir trees, her sun-burnt valleys covered with meagre herbage, her wintry torrents dried up in summer, her olive trees with their pale leaf and pliable branches,—is it these things which seem to you to have made up the grace of Greece, or was it that flexible, brave, and energetic character, so prompt and full of resource, that curiosity and perseverance and fire, that love of Athens and of glory, that subtilty of practical understanding,

that unrivalled elegance of taste, that teeming and beautiful fancy, — were not these the traits, and these the gifts which created the Athens of the world and of all ages, — the one and only Athens; which are embodied for us in the Iliad and in the Ædipus and in the Parthenon, in the treatises of Aristotle, the dialogues of Plato, the orations of Demosthenes, — that eloquence of an expiring nation; which stand out on the sculptured page of Plutarch in the port of a hundred demi-gods; which created her to be a teacher of patriotism and a light to liberty; which won for her in her own time the place of the first power of the world, and seated her with a more rare felicity on an intellectual throne, from which no progress of the species may cast her down?

Now, if the nations differ by their minds, the right kind and the right degree of mental culture goes to the very springs of the national nature. It applies itself directly to the *causa causans*. It imparts and it shapes that basis of qualities, good or bad, large or little, stone or wood, or hay or stubble, — on which the State ascends to its duration of a day, or its duration of ages.

I do not say that mental culture alone can completely educate a nation, — far from it. There must be action. There must be labor. There must be difficulty. There must be the baptism of blood and of fire. If there is a not very fertile soil under foot, a not very spicy air around, a not very luxurious heaven overhead, — it is all the better.

Nor is it every kind and every degree of mental culture that will do this work. It must be such culture as may be given to an employed, a grave, an

earnest, a moral, and a free people. It must be a culture of the reason and of the heart. It must not be a culture like that which consoled the Paris of Louis XIV., which consoles the Rome, the Florence, and the Venice of our time for the loss, for the want, of liberty. It must not be a culture which supplies trifles to the eye, stimulations to the senses, shows to the fancy, the music of a holiday to the ear. It must not be a culture which turns mortal life, that solemn and that grand reality and waking, into a fine dream, — and presents death, not as an interruption of profound attachments, earnest labors, and serious aims, — but as a drooping of the garlands of a feast from which the guests have departed. It must be a very different kind of mental culture from this. It must be one which shall be so directed as to give force, power, depth, effectiveness, to the intellect of the whole people. It must be one which, beginning with the youngest child, shall seek to improve the heart of the people, shall propose to the infant and to the adolescent will and sensibilities great examples, as well as wholesome counsel, — the careers of nations and of men — pure, rapid, and majestic, as rivers — grand, swelling sentiments of liberty, patriotism, duty, and honor, — triumphant, awful, splendid deaths, — the Puritan at the stake, the patriot on the scaffold, those who fell at Thermopylæ in obedience to the law, those who were buried at Plymouth in the first, awful winter. Such a culture as this it is, which, blending with the other discipline of public and private life, may prove the mother and nurse of a great, thoughtful, and free people. “Remember that the learning of the few is despotism ; the learning of the

multitude is liberty ; — and that intelligent and principled liberty is fame, wisdom, and power.”

In the next place, to come down to a little more detail, mental culture may contribute to our security, our independence, our local aggrandizement, by informing and directing our labor.

I need not tell you that labor is the condition — I will not say, of our greatness, but — of our being. What were Massachusetts without it? Lying away up under the North star, — our winters long and cold, our springs backward and capricious, our sky ungenial, our coast iron-bound, — our soil not over-productive, barren almost altogether of the great staples of commerce which adorn and enrich the wheat-fields of the central regions, the ocean prairies of the West, the rice-grounds and sugar and cotton plantations of the South, — our area small, — our numbers few, — our earlier occupations of navigation and fishing divided with us by a whole world at peace, — what is there for us but labor, — *labor improbus, labor omnia vincens*? And what kind of labor is it which is to vanquish the antagonist powers of nature, and build the palace of a commodious and conspicuous national life over against these granite mountains and this unfruitful sea? Is it one kind, or two ; or is it the whole vast and various labor of intellectual civilization, — not agriculture only and trade and fishing, but the whole family of robust and manly arts, which furnish occupation to everybody every moment of working time, — occupation, to every taste and talent and faculty, that which it likes best, that which improves it most, that which it can do easiest, — occupation for the strong and

the weak, the bright and the dull, the young and the old, and both the sexes, — occupation for winter and summer, daylight and lamplight, cold weather and warm, wet and dry, — occupation that shall, with more than magnetic touch, seize on, develop, discipline, and perfect every capacity, the whole mass of ability, gathering up all fragments of mind and of time, so that nothing be lost, — is not this the labor by which we are to grow great? Is not this the labor which is to be to us in the place of mines, of pearls, of vineyards, of cinnamon gardens, of enamelled prairies, of wheat-fields, of rice-grounds and cotton-fields and sugar-plantations tilled by the hands of slaves? This is that transmuting power without which we are poor, give what they will — with it rich, take what they will away! This it is, labor, ever labor, which, on the land, on the sea, in the fields, in all its applications, with all its helps, from the straw bonnet braided or plaited by the fingers, up to those vast processes in which, evoking to its aid the powers of nature and the contrivances of ages of skill, it takes the shapeless ore from its bed, the fleece from the felt, the cotton from the pod, and moulds them into shapes of beauty and use and taste, — the clothing, the armor, the furniture of civilization, sought for in all the markets of the world, — this it is which is to enrich and decorate this unlovely nature where our lot is cast, and fit it for the home of cultivated man!

Now, if the highest practicable degree of mental culture and useful knowledge is really the best instrumentality for instructing, guiding, vivifying, helping this rough power of labor, — if it will sup-

ply the chemistry which teaches it how to enrich barren soils, reclaim and spare exhausted soils, irrigate parched soils, make two blades of grass grow where one grew before,—if it will teach it how to build tunnels through mountains or beneath beds of rivers and under populous towns, how to fill or bridge the valley, how to stretch out and fasten in their places those long lines of iron roads which, as mighty rivers, pour the whole vast inland into a market of exchange for what trade has gathered from every quarter of the globe,—if it will teach it better how to plan its voyages and make its purchases, so as most seasonably to meet the various and sudden and changing demands of men by the adequate supply,—if it can teach it how to construct its tools, how to improve old ones and invent new, how to use them, by what shortest and simplest and cheapest process it can arrive at the largest results of production,—if it can thus instruct and thus aid that labor, which is our only source of wealth, and of all material greatness,—if, above all, when rightly guided by the morality and religion which I assume everywhere to preside over our education, it communicates that moral and prudential character which is as needful and as available for thrift as for virtue, thoughtfulness, economy, self-estimation, sobriety, respect for others' rights,—is it not an obvious local and industrial policy to promote, diffuse, and perfect it?

Well, I must not spend a moment in the proof of a proposition so palpable as this. I say there is not an occupation of civilized life, from the making of laws and poems and histories, down to the opening

of New Jersey oysters with a broken jack-knife, that is not better done by a bright than a dull man, by a quick than a slow mind, by an instructed man than a gross or simple man, by a prudent, thoughtful, and careful man, than by a light and foolish one. Every one of these occupations—in other words, the universal labor of civilization—involves, demands, *is*, a mental effort, putting forth a physical effort; and you do but only go to the fountain-head, as you ought to do, when you seek, by an improved culture and a better knowledge, to give force and power to the imperial capacity behind, and to set a thoughtful and prudent spirit to urge and to guide it. You say that you bestow a new power on man, when you give him an improved machine. Do you not bestow a more available gift, when you bestow on him an improvement of that mental and moral nature which makes, improves, and uses, profitably or unprofitably, all machines? In one case, you give him a limited and definite amount of coined money, in the other a mine of gold or silver. Nay, what avails the improved machine to the untaught mind? Put a forty-feet telescope, with its mirrors of four feet diameter, into the hands of a savage, whether in civilized or Indian life, and he sees about as much as our children see through a glass prism,—gaudy outlines, purple and orange and green crossing and blending on every thing. Let the exercised mind of Herschel lift that same tube from the Cape of Hope toward the southern sky, and the architecture of the heavens—not made with hands—ascends before him,—

“Glory beyond all glory ever seen  
By waking sense, or by the dreaming soul!”

firmaments of fixed stars,—of which all the stars in our heaven, all our eye takes in, form but one firmament, one constellation only of a universe of constellations, separated by unsounded abysses, yet holden together by invisible bands,—moving together, perhaps, about some centre, to which the emancipated soul may in some stage of being ascend, but which earthly science shall vanish away without seeing!

Such in kind, not of course in degree, is the additional power you give to labor by improving the intellectual and prudential character which informs and guides it.

It is within the knowledge of you all that Mr. Mann, in one of those reports to the Board of Education to which the community is so much indebted, I believe the fifth, has developed this thought with that keenness of analysis and clearness and force of expression for which he is remarkable. You will be particularly struck with the proofs which he has there collected from several most intelligent and respectable superintendents or proprietors of manufacturing establishments, showing by precise statistical details, derived from a long course of personal observation, that throughout the whole range of mechanical industry the well educated operative does more work, does it better, wastes less, uses his allotted portion of machinery to more advantage and more profit; earns more money, commands more confidence, rises faster, rises higher, from the lower to the more advanced positions of his employments, than the uneducated operative. And now, how interestingly and directly this fact connects



itself with my subject, I need not pause to show. You speak of tariffs to protect your industry from the redundant capital, the pauper labor, the matured skill, the aggressive and fitful policy, of other nations. You cannot lay a tariff under the Constitution, and you cannot compel Congress to do so ; but you can try to rear a class of working-men who may help you to do something without one. You speak of specific duties, and discriminating duties, and what not ! Are you sure that if everybody, — *every mind*, I should say, — which turns a wheel or makes a pin in this great workshop of ours, all full from basement to attic with the various hum of free labor, was educated up to the utmost degree compatible with his place in life, — that this alone would not be equal to at least a uniform duty of about twenty-eight per cent. ad valorem, all on the home value ? You must have more skill you say, more skill than now, or you must have governmental protection. Very well ; go to work to make it, then. You manufacture almost every thing. Suppose you go into the manufacture of skill. Try your hand at the skill business. Skill in the arts is mental power exercised in arts, that is all. Begin by making mental power. You can do that as easily as you can make satinets or fustian or chain-cable. You have a great deal of money. The world never saw such a provision for popular and higher education as you could make in a year in Massachusetts, and not feel it. Consider how true and fine in this application would the words of the charitable man's epitaph be : " What I spent I had. What I kept I lost. What I gave away remains with me ! "

By what precise course of instruction, elementary and advanced, by what happier methods, by what easier access to the mind and heart, by "what drugs, what charms, what conjuration, and what mighty magic," this heightened mental ability and accomplishment may be achieved, which I know is practicable, and which I know is power, — it is not within my plan, if I could, to suggest. I may be permitted to remember, that the first time I ever ventured to open my lips in a deliberative body, I had the honor to support a bill in the House of Representatives, in Massachusetts, providing for educating teachers of common schools. I should be perfectly willing to open them for the last time, in the same place, in support of the same proposition exactly. I can conceive of a body of teachers, — I know individuals now, — who would do this great work for Massachusetts, as patriotism and religion would wish it done, — who would take the infant capacity of the people, as it came to life, into their arms, and breathe into it the quickening breath, — who receiving it, bathed and blessed by a mother's love, would apply to it, instead of stripes, the gentle, irresistible magnet of scientific instruction, opening it as a flower to light and rain, — who, when the intellectual appetite was begun to be developed, would feed it with the angels' food of the best mental and moral culture which years of reflection and experience and interchange of thought could suggest, — would carry forward the heart and the reason together, — would fit the whole bright tribe of childhood as completely, in so far as intellect and acquisition are concerned, for beginning to wrestle with the practical realities of life at fourteen, as now at one-and-twenty.

To such teachers I leave details, with one suggestion only, — that I would not take the Bible from the schools so long as a particle of Plymouth Rock was left, large enough to make a gun-flint of, or as long as its dust floated in the air. I would have it read not only for its authoritative revelations, and its commands and exactions, obligatory yesterday, to-day, and for ever, but for its English, for its literature, for its pathos, for its dim imagery, its sayings of consolation and wisdom and universal truth, — achieving how much more than the effect which Milton ascribes to music :

“Nor wanting power to mitigate and swage,  
With solemn touches, troubled thoughts, and chase  
Anguish and doubt and fear and sorrow and pain  
From mortal, or immortal minds.”

Perhaps as striking an illustration on a large scale as could be desired, of the connection between the best directed and most skilful labor and the most cultivated and most powerful intellect, is afforded by the case of England. British industry, as a whole, is among the most splendid and extraordinary things in the history of man. When you consider how small a work-bench it has to occupy altogether, — a little stormy island bathed in almost perpetual fogs, without silk, or cotton, or vineyards, or sunshine ; and then look at that agriculture so scientific and so rewarded, that vast net-work of internal intercommunication, the docks, merchant-ships, men-of-war, the trade encompassing the globe, the flag on which the sun never sets, — when you look above all at that vast body of useful and manly art, — not directed like the industry of France — the industry of vanity

—to making pier-glasses and air-balloons and gobelin tapestry and mirrors, to arranging processions and chiselling silver and twisting gold into filigrees,—but to clothing the people, to the manufacture of woollen, cotton, and linen cloth, of railroads and chain-cables and canals and anchors and achromatic telescopes, and chronometers to keep the time at sea,—when you think of the vast aggregate mass of their manufacturing and mechanical production, which no statistics can express, and to find a market for which she is planting colonies under every constellation, and by intimidation, by diplomacy, is knocking at the door of every market-house upon the earth,—it is really difficult to restrain our admiration of such a display of energy, labor, and genius, winning bloodless and innocent triumphs everywhere, giving to the age we live in the name of the age of the industry of the people. Now, the striking and the instructive fact is, that exactly in that island workshop, by this very race of artisans, of coal-heavers and woollen manufacturers, of machinists and blacksmiths and ship-carpenters, there has been produced and embodied for ever, in words that will outlast the mountains as well as the Pyramids, a literature which, take it for all in all, is the richest, most profound, most instructive, combining more spirituality with more common sense, springing from more capacious souls, conveying a better wisdom, more conformable to the truth in man, in nature, and in human life, than the literature of any nation that ever existed. That same race, side by side with the unparalleled growth of its industry, produces Shakspeare, Milton, Bacon, and Newton, all four at the summit of human

thought, — and then, just below these unapproachable fixed lights, a whole firmament of glories, lesser than they, as all created intelligence must be, yet in whose superior rays the age of Augustus, of Leo X., of Louis XIV., all but the age of Pericles, the culture of Greece, pale and fade. And yet the literature of England is not the only, scarcely the most splendid, fruit or form of the mental power and the energetic character of England. That same race, along with their industry, along with their literature, has built up a jurisprudence which is for substance our law to-day, — has constructed the largest mercantile and war navy, and the largest commercial empire with its pillars encircling the globe, that men ever saw, — has gained greater victories on sea and land than any power in the world, — has erected the smallest spot to the most imperial ascendancy recorded in history. The administrative triumphs of her intellect are as conspicuous as her imaginative and her speculative triumphs.

Such is mental power. Mark its union with labor and with all greatness; deduce the law; learn the lesson; see how you, too, may grow great. Such an industry as that of England demanded such an intellect as that of England. *Sic vobis etiam itur ad astra!* That way to you, also, glory lies!

I have now been speaking of a way in which mental culture may help your labor to grow independent of governmental policy, and thus to disregard and endure what you cannot control. But may not the same great agent do more than this? May it not, not merely enable you to bear an administrative policy which you cannot prevent, but enable you to

return the more grateful power of influencing national councils and national policy, long after the numerical control has gone to dwell in the imperial valley of the West?

I will not pause to say so obvious a thing, as that those you call public men, those whom you send to urge your claims and consult your interests in the national assembly, are better fitted for their task by profound and liberal studies. This were too obvious a thought; and yet I cannot help holding up to your notice a very splendid exemplification of this, in that "old man eloquent," who counts himself to have risen from the Presidency to represent the people in the House of Representatives. See there what the most universal acquisitions will do for the most powerful talents. How those vast accumulations of learning are fused, moulded, and projected, by the fiery tide of mind! How that capacious memory, realizing half the marvels of Pascal and of Cicero, yields up in a moment the hived wisdom of a life of study and a life of action,—the happiest word, the aptest literary illustration, the exact detail, the precise rhetorical instrument the case demands,—how it yields all up instantly to the stimulated, fervid, unquenchable faculties! How little of dilettanteism and parade, and vagueness of phrase and mysticism of idea; how clear, available, practicable, direct,—one immense torrent, rushing as an arrow, all the way from the perennial source to the hundred mouths!

If mental culture did nothing for you but send such men to consult on your welfare in the councils of the nation, it would do much to preserve your

political ascendancy. But look at this matter a little more largely. Suppose that by succession of effort, by study, by time, you could really carry up the literary character of Massachusetts to as high a degree of superiority to the general literary character of these States, as that of Attica compared with the other States of Greece in the age after the Persian war; suppose the school-boy boast could be achieved, and you were the Athens of America; suppose the libraries, the schools, the teachers, the scholars, were here, the galleries of art, the subtle thinkers, the weavers of systems, the laurelled brow, "the vision and the faculty divine;" suppose the whole body of our written productions, from newspapers upwards or downwards, had obtained a recognized superiority over those of any other region, were purer, better expressed, more artist-like, of wider compass; suppose that the general taste of the world and the nation should authenticate and settle all this,—would it or would it not profit you as an instrument of political ascendancy? It would be soothing to our pride, certainly. Perhaps that would not be all. Knowledge is power as well as fame. You could not, perhaps, hold the lettered and moral relation to America which I have sketched—it is, alas! a sketch—without holding a political relation in some degree of correspondence with it. Think of that subtle, all-embracing, plastic, mysterious, irresistible thing called public opinion, the god of this lower world, and consider what a State, or a cluster of States, of marked and acknowledged literary and intellectual lead, might do to color and shape that opinion to their will. Consider how winged are words, how electrical, light-

like the speed of thought, how awful human sympathy. Consider how soon a wise, a beautiful thought uttered here,—a sentiment of liberty perhaps, or word of succor to the oppressed, of exhortations to duty, to patriotism, to glory, the refutation of a sophism, the unfolding of a truth for which the nation may be better,—how soon a word fitly or wisely spoken here is read on the Upper Mississippi and beneath the orange-groves of Florida, all through the unequalled valley; how vast an audience it gains, into how many bosoms it has access, on how much good soil the seed may rest and spring to life, how easily and fast the fine spirit of truth and beauty goes all abroad upon the face of the world. Consider that the meditations of a single closet, the pamphlet of a single writer, have inflamed or composed nations and armies, shaken thrones, determined the policy of governments for years of war or peace. Consider that the Drapier's Letters of Swift set Ireland on fire, cancelled the patent of George I., inspired or kept breathing the spirit which in a later day the eloquence of Grattan evoked to national life. Burke's Reflections on the French Revolution began that great contention of nations that lasted a quarter of a century, till the sun went down on the drenched field of Waterloo. The sarcasms of Voltaire had torn away its grandeur from the throne, and its sacredness from the kindred church, or popular violence might not have blown them both into the air. He who guides public opinion moves the hand that moves the world!

There is an influence which I would rather see Massachusetts exert on her sisters of this Union,



than see her furnish a President every twelve years or command a majority on any division in Congress; and that is such an influence as Athens exerted on the taste and opinion first of Greece, then of Rome, then of the universal modern world; such as she will exert while the race of man exists. This, of all the kinds of empire, was most grateful and innocent and glorious and immortal. This was won by no bargain, by no fraud, by no war of the Peloponnesus, by the shedding of no human blood. It would rest on admiration of the beautiful, the good, the true in art, in poetry, in thought; and it would last while the emotions, its object, were left in a human soul. It would turn the eye of America hitherwards with love, gratitude, and tears, such as those with which we turn to the walk of Socrates beneath the plane-tree, now sere, the summer hour of Cicero, the prison into which philosophy descended to console the spirit of Boethius, that room through whose opened window came into the ear of Scott, as he died, the murmur of the gentle Tweed,—love, gratitude, and tears, such as we all yield to those whose immortal wisdom, whose divine verse, whose eloquence of heaven, whose scenes of many-colored life, have held up the show of things to the insatiate desires of the mind, have taught us how to live and how to die! Herein were power, herein were influence, herein were security. Even in the madness of civil war it might survive for refuge and defence!

“Lift not thy spear against the Muse’s bower.  
The great Emathian conqueror bid spare  
The house of Pindarus, when temple and tower  
Went to the ground And the repeated air  
Of sad Electra’s poet had the power  
To save the Athenian walls from ruin bare.”

And now if any one, any child of Massachusetts, looking round him and forward, trying to cast the horoscope of his local fortunes, feels a sentiment of despondency upon his spirit, and thinks all this exhortation to mental culture as a means of retaining endangered or receding power to be but the dream of pedantry, and begins to think that if he would belong to a great State, an historical State, an ascendant State, he must be setting out toward the tranquil sea, — to him I say, turn back to her origin, and be of thy unfilial fears ashamed! Thou, a descendant of that ancestry of heroes, and already only in the two hundredth year, afraid that the State is dying out! Do you forget that it took two hundred years of training in England, in Scotland, in Geneva, in the Netherlands, — two hundred years of persecution, of life passed in exile and in chains, of death triumphing over fires, — to form out of the general mind of England these one hundred men and women, our fathers and mothers, who landed on the Rock, and do you think a plant so long in rearing has begun already to decay?

It took a hundred and fifty years more, — one long war, one long labor, one long trial, one long sorrow, as we count sorrow, years of want and disease, of bereavements, of battle, of thought, of every heroical faculty tasked by every heroical labor, one long, varied, searching, tremendous educational process, just the process to evolve and mature these traits on which a commonwealth might repose for a thousand years of glory, — it took all this more to train them for the loftier sphere, the grander duties, the more imperial and historical renown, of independence and

union ; and do you think that the energies of such a nature, so tempered and refined, are become exhausted in half a century ? Who believes in such an idle expenditure of preparation ? Why, that would be to hew out a throne of granite on the side of everlasting hills by the labor of generations, for one old king, the last of his line, to die on ! No ; be true to your origin and to yourselves, and dynasties shall fill by successive accessions the prepared and steadfast seat.

Doubtless the Pilgrim race, — the Puritan race, — shall go everywhere, and possess largely of every thing. The free North-west, especially, will be theirs ; the skies of Ontario and Erie and Michigan, the prairies of Illinois, the banks of the river of beauty, the mines of Wisconsin and Iowa, shall be theirs. But the old homestead, and the custody of the Rock, are in the family also. Nearest of all the children to the scenes of the fathers' earthly life, be it ours the longest and the most fondly to bear their names, and hold fast their virtues. Be it ours, especially, to purify, enrich, adorn this State, — our own, our native land, — our fathers' monument, — our fathers' praise !

THE POSITION AND FUNCTIONS OF THE AMERICAN BAR, AS AN ELEMENT OF CONSERVATISM IN THE STATE :

AN ADDRESS DELIVERED BEFORE THE LAW SCHOOL IN  
CAMBRIDGE, JULY 3, 1845.

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THE speaker, on one of the anniversaries observed by a literary association in this ancient university, congratulated himself, as he cast his eye over an audience of taste and learning, that in such company he could have no temptation to stray beyond the walls of the academy, or within the noise of the city and the forum. I have supposed that our way, on the contrary, lies directly into the city and the forum. I have assumed that in calling me to this duty you expected and designed that I should consider some topic of a strictly professional interest. All the objects and proprieties of the hour require me to do so. It is a seminary of the law, to which the day is set apart. It is to students of the law, assembled in the presence of teachers of the law,—your masters and my own,—and composing with them a school worthy to begin a new era of the enriched and various jurisprudence of America,—it is to the members of a profession, that I address myself,—all of you immersed in its intricate studies, and fired by what Milton has called its “prudent

and heavenly contemplations." Some of you just going forth to attempt its practice, to do its hard work, to kindle with its excitations, to be agitated by its responsibilities, to sound its depths and shoals of honor, — and it is therefore of things professional that I seem to be commanded to speak. Doubtless, there is somewhat in the spirit of the place that might suggest the wish at least for matter more "airy and delicious." I will not deny that I never visit these scenes, so dear to learning, without a very vehement impulse to be disengaged for the day from all the idle business of the law and of life, — from litigious terms, fast contentions, and the dream of "flowing fees," — from facts sometimes without interest, and rules sometimes without sense, — to be disengaged from all this, and to abandon myself evermore to the vernal fancies and sensations of your time of life, to the various banquet of general knowledge on which so many spirits have been fed, to all those fair ideals which once had power to touch and fill the heart. The sentiment is not very professional; and yet it is not wholly uncountenanced by authority. You remember that it was the great Chancellor d'Aguesseau, who, full of fame as of years, at the very summit of the jurisprudence of France, the most learned of her orators, the most eloquent of her lawyers, — in the confidence of a letter to his son, could confess that literature had always been to him a sort of mental debauch into which he perpetually and secretly relapsed. "I was born," he said, "in the republic of elegant letters; there I grew to be a man; there I passed the happiest years of my life; and to it I come back as a

wanderer on sea revisits his native land." But these were the confessions of an illustrious reputation, which could afford to make them. Win his fame, attain his years, emulate his polished eloquence, do as much for the law of a free country as he did for that of the despotism of Louis XIV. and the regency, and you may make the same confession too. Meantime, even here and to-day our theme, our aim, is the law. The literary influences and solicitations of the scene and hour we resist and expel. We put them, one and all, out of court. *Academiam istam exoremus ut sileat!*

There are reasons without number why we should love and honor our noble profession, and should be grateful for the necessity or felicity or accident which called us to its service.

But of these there is one, I think, which, rightly apprehended, ought to be uppermost in every lawyer's mind, on which he cannot dwell too thoughtfully and too anxiously; to which he should resort always to expand and erect his spirit and to keep himself up, if I may say so, to the height of his calling; from which he has a right to derive, in every moment of weariness or distaste or despondency—not an occasion of pride, but—ceaseless admonitions to duty and incentives to hope. And that reason is, that better than any other, or as well as any other position or business in the whole subordination of life, his profession enables him to *serve the State*. As well as any other, better than any other profession or business or sphere, more directly, more palpably, it enables and commands him to perform certain grand and difficult and indispensable duties of patriotism,

— certain grand, difficult, and indispensable duties to our endeared and common native land.

Turning for the present, then, from other aspects of the profession, survey it under this. Certainly it presents no nobler aspect. It presents none so well adapted — I do not say, to make us vain of it, but — to make us fit for it, to make us equal to it, to put us on turning it to its utmost account, and working out its whole vast and various and highest utilities. It raises it from a mere calling by which bread, fame, and social place may be earned, to a function by which the republic may be served. It raises it from a dexterous art and a subtle and flexible science — from a cunning logic, a gilded rhetoric, and an ambitious learning, wearing the purple robe of the sophists, and letting itself to hire — to the dignity of almost a department of government, — an instrumentality of the State for the well-being and conservation of the State. Consider then the position and functions of the American Bar in the Commonwealth.

I make haste to say that it is not at all because the legal profession may be thought to be peculiarly adapted to fit a man for what is technically called “public life,” and to afford him a ready, too ready an introduction to it, — it is not on any such reason as this that I shall attempt to maintain the sentiment which I have advanced. It is not by enabling its members to leave it and become the members of a distinct profession, — it is not thus that in the view which I could wish to exhibit, it serves the State. It is not the jurist turned statesman whom I mean to hold up to you as useful to the republic, — although jurists turned statesmen have illustrated every page,

every year of our annals, and have taught how admirably the school of the law can train the mind and heart for the service of constitutional liberty and the achievement of civil honor. It is not the jurist turned statesman; it is the jurist as jurist; it is the jurist remaining jurist; it is the bench, the magistracy, the bar,—the profession as a profession, and in its professional character,—a class, a body, of which I mean exclusively to speak; and my position is, that as such it holds, or may aspire to hold, a place, and performs a function of peculiar and vast usefulness in the American Commonwealth.

Let me premise, too, that instead of diffusing myself in a display of all the modes by which the profession of the law may claim to serve the State, I shall consider but a single one, and that is its agency as an element of conservation. The position and functions of the American Bar, then, as an element of conservation in the State,—this precisely and singly is the topic to which I invite your attention.

And is not the profession such an element of conservation? Is not this its characteristical office and its appropriate praise? Is it not so that in its nature, in its functions, in the intellectual and practical habits which it forms, in the opinions to which it conducts, in all its tendencies and influences of speculation and action, it is and ought to be professionally and peculiarly such an element and such an agent,—that it contributes, or ought to be held to contribute, more than all things else, or as much as any thing else, to preserve our organic forms, our civil and social order, our public and private justice, our constitutions of government,—even the Union



itself? In these crises through which our liberty is to pass, may not, must not, this function of conservatism become more and more developed, and more and more operative? May it not one day be written, for the praise of the American Bar, that it helped to keep the true idea of the State alive and germinant in the American mind; that it helped to keep alive the sacred sentiments of obedience and reverence and justice, of the supremacy of the calm and grand reason of the law over the fitful will of the individual and the crowd; that it helped to withstand the pernicious sophism that the successive generations, as they come to life, are but as so many successive flights of summer flies, without relations to the past or duties to the future, and taught instead that all — all the dead, the living, the unborn — were one moral person, — one for action, one for suffering, one for responsibility, — that the engagements of one age may bind the conscience of another; the glory or the shame of a day may brighten or stain the current of a thousand years of continuous national being? Consider the profession of the law, then, as an element of conservation in the American State. I think it is naturally such, so to speak; but I am sure it is our duty to make and to keep it such.

It may be said, I think with some truth, of the profession of the Bar, that in all political systems and in all times it has seemed to possess a twofold nature; that it has seemed to be fired by the spirit of liberty, and yet to hold fast the sentiments of order and reverence, and the duty of subordination; that it has resisted despotism, and yet taught obedience; that it has recognized and vindicated the rights of man, and

yet has reckoned it always among the most sacred and most precious of those rights, to be shielded and led by the divine nature and immortal reason of law; that it appreciates social progression and contributes to it, and ranks in the classes and with the agents of progression, yet evermore counsels and courts permanence and conservatism and rest; that it loves light better than darkness, and yet, like the eccentric or wise man in the old historian, has a habit of looking away as the night wanes to the western sky, to detect there the first streaks of returning dawn.

I know that this is high praise of the professional character; and it is true. See if there is not some truth in it. See at least whether we may not deserve it, by a careful culture of the intrinsic tendencies of our habitual studies and employments, and all that is peculiar to our professional life.

It is certain, on the one hand, that the sympathies of the lawyer in our system are with the people and with liberty. They are with the greatest number of the people; they are with what you call the masses; he springs from them; they are his patrons; their favor gives him bread; it gives him consideration; it raises him, as Curran so gracefully said of himself, "the child of a peasant, to the table of his prince." The prosperity of the people employs and enriches him.

It does not fall within my immediate object to dwell longer on this aspect of the twofold nature of the profession of the Bar,—its tendencies and leanings to the people and to liberty. It might not be uninteresting to sustain and qualify the view by a glance at a few remarkable periods of its history, under a

few widely discriminated political systems of ancient States and times, — the Roman Bar, for example, before and under the earliest times of the Empire; the French Bar at the Revolution; the American Bar from the planting of the colonies. But I must hasten to my principal purpose in this address, — an exhibition of the other aspect of the profession, its function of conservatism.

In proceeding to this, I think I may take for granted that conservatism is, in the actual circumstances of this country, the one grand and comprehensive duty of a thoughtful patriotism. I speak in the general, of course, not pausing upon little or inevitable qualifications here and there, — not meaning any thing so absurd as to say that this law, or that usage, or that judgment, or that custom or condition, might not be corrected or expunged, — not meaning still less to invade the domains of moral and philanthropic reform, true or false. I speak of our general political system; our organic forms; our written constitutions; the great body and the general administration of our jurisprudence; the general way in which liberty is blended with order, and the principle of progression with the securities of permanence; the relation of the States and the functions of the Union, — and I say of it in a mass, that conservation is the chief end, the largest duty, and the truest glory of American statesmanship.

There are nations, I make no question, whose history, condition, and dangers call them to a different work. There are those whom every thing in their history, condition, and dangers admonishes to reform fundamentally, if they would be saved. With them

the whole political and social order is to be rearranged. The stern claim of labor is to be provided for. Its long antagonism with capital is to be reconciled. Property is all to be parcelled out in some nearer conformity to a parental law of nature. Conventional discriminations of precedence and right are to be swept away. Old forms from which the life is gone are to drop as leaves in autumn. Frowning towers nodding to their fall are to be taken down. Small freeholds must dot over and cut up imperial parks. A large infusion of liberty must be poured along these emptied veins and throb in that great heart. With those, the past must be resigned; the present must be convulsed, that "an immeasurable future," as Carlyle has said, "may be filled with fruitfulness and a verdant shade."

But with us the age of this mode and this degree of reform is over; its work is done. The passage of the sea, the occupation and culture of a new world, the conquest of independence, — these were our eras, these our agency, of reform. In our jurisprudence of liberty, which guards our person from violence and our goods from plunder, and which forbids the whole power of the State itself to take the ewe lamb, or to trample on a blade of the grass of the humblest citizen without adequate remuneration; which makes every dwelling large enough to shelter a human life its owner's castle which winds and rain may enter but which the government cannot, — in our written constitutions, whereby the people, exercising an act of sublime self-restraint, have intended to put it out of their own power for ever, to be passionate, tumultuous, unwise, unjust; whereby they have intended,

by means of a system of representation ; by means of the distribution of government into departments, independent, coördinate for checks and balances ; by a double chamber of legislation ; by the establishment of a fundamental and paramount organic law ; by the organization of a judiciary whose function, whose loftiest function it is to test the legislation of the day by this standard for all time, — constitutions, whereby by all these means they have intended to secure a government of laws, not of men ; of reason, not of will ; of justice, not of fraud, — in that grand dogma of equality, — equality of right, of burthens, of duty, of privileges, and of chances, which is the very mystery of our social being, — to the Jews, a stumbling-block ; to the Greeks, foolishness, — our strength, our glory, — in that liberty which we value not solely because it is a natural right of man ; not solely because it is a principle of individual energy and a guaranty of national renown ; not at all because it attracts a procession and lights a bonfire, but because, when blended with order, attended by law, tempered by virtue, graced by culture, it is a great practical good ; because in her right hand are riches, and honor, and peace ; because she has come down from her golden and purple cloud to walk in brightness by the weary ploughman's side, and whisper in his ear as he casts the seed with tears, that the harvest which frost and mildew and canker-worm shall spare, the government shall spare also ; in our distribution into separate and kindred States, not wholly independent, not quite identical, in " the wide arch of the ranged empire " above, — these are they in which the fruits of our age and our agency of re-

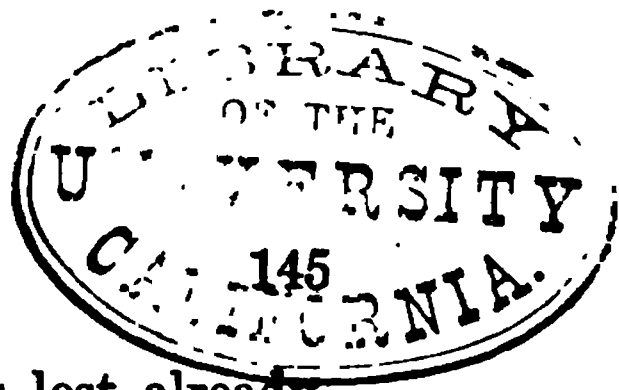
form are embodied; and these are they by which, if we are wise, — if we understand the things that belong to our peace, — they may be perpetuated. <sup>56</sup> It is for this that I say the fields of reform, the aims of reform, the uses of reform here, therefore, are wholly unlike the fields, uses, and aims of reform elsewhere. Foreign examples, foreign counsel, — well or ill meant, — the advice of the first foreign understandings, the example of the wisest foreign nations, are worse than useless for us. Even the teachings of history are to be cautiously consulted, or the guide of human life will lead us astray. We need reform enough, Heaven knows; but it is the reformation of our individual selves, the bettering of our personal natures; it is a more intellectual industry; it is a more diffused, profound, and graceful, popular, and higher culture; it is a wider development of the love and discernment of the beautiful in form, in color, in speech, and in the soul of man, — this is what we need, — personal, moral, mental reform, — not civil — not political! No, no! Government, substantially as it is; jurisprudence, substantially as it is; the general arrangements of liberty, substantially as they are; the Constitution and the Union, exactly as they are, — this is to be wise, according to the wisdom of America.

To the conservation, then, of this general order of things, I think the profession of the Bar may be said to be assigned, for this reason, among others, — the only one which I shall seek to develop, — that its studies and employments tend to form in it and fit it to diffuse and impress on the popular mind a class of opinions — one class of opinions — which are indispensable to conservation. Its studies and offices train

and arm it to counteract exactly that specific system of opinions by which our liberty must die, and to diffuse and impress those by which it may be kept alive.

By what means a State with just that quantity of liberty in its constitution which belongs to the States of America, with just those organizations into which our polity is moulded, with just those proportions of the elements of law and order and restraint on the one hand, and the passionate love of freedom, and quick and high sense of personal independence on the other,—by what means such a State may be preserved through a full lifetime of enjoyment and glory, what kind of death it shall die, by what diagnostics the approach of that death may be known, by what conjuration it is for a space to be charmed away, through what succession of decay and decadence it shall at length go down to the tomb of the nations,—these questions are the largest, pertaining to the things of this world, that can be pondered by the mind of man. More than all others, too, they confound the wisdom of man. But some things we know. A nation, a national existence, a national history, is nothing but a production, nothing but an exponent, of a national mind. At the foundation of all splendid and remarkable national distinction there lie at last a few simple and energetic traits: a proud heart, a resolute will, sagacious thoughts, reverence, veneration, the ancient prudence, sound maxims, true wisdom; and so the dying of a nation begins in the heart. There are sentiments concerning the true idea of the State, concerning law, concerning liberty, concerning justice, so active, so mortal, that if they pervade and taint the general mind, and transpire in

## THE AMERICAN BAR.



practical politics, the commonwealth is lost already. It was of these that the democracies of Greece, one after another, miserably died. It was not so much the spear of the great Emathian conqueror which bore the beaming forehead of Athens to the dust, as it was that diseased, universal opinion, those tumultuous and fraudulent practical politics, which came at last to supersede the constitution of Solon, and the equivalents of Pericles, which dethroned the reason of the State, shattered and dissolved its checks, balances, and securities against haste and wrong, annulled its laws, repudiated its obligations, shamed away its justice, and set up instead, for rule, the passion, ferocity, and caprice, and cupidity, and fraud of a flushed majority, cheated and guided by sycophants and demagogues, — it was this diseased public opinion and these politics, its fruits, more deadly than the gold or the phalanx of Philip, that cast her down untimely from her throne on high.

And now what are these sentiments and opinions from which the public mind of America is in danger, and which the studies and offices of our profession have fitted us and impose on us the duty to encounter and correct?

In the first place, it has been supposed that there might be detected, not yet in the general mind, but in what may grow to be the general mind, a singularly inadequate idea of the State as an unchangeable, indestructible, and, speaking after the manner of men, an immortal thing. I do not refer at this moment exclusively to the temper in which the Federal Union is regarded, though that is a startling illustration of the more general and deeper sentiment, but I refer in



a larger view to what some have thought the popular or common idea of the civil State itself, its sacredness, its permanence, its ends,—in the lofty phrase of Cicero, its eternity. The tendency appears to be to regard the whole concern as an association altogether at will, and at the will of everybody. Its boundary lines, its constituent numbers, its physical, social, and constitutional identity, its polity, its law, its continuance for ages, its dissolution,—all these seem to be held in the nature of so many open questions. Whether *our country*—words so simple, so expressive, so sacred; which, like father, child, wife, should present an image familiar, endeared, definite to the heart—whether our country shall, in the course of the next six months, extend to the Pacific Ocean and the Gulf, or be confined to the parochial limits of the State where we live, or have no existence at all for us; where its centre of power shall be; whose statues shall be borne in its processions; whose names, what days, what incidents of glory commemorated in its anniversaries, and what symbols blaze on its flag,—in all this there is getting to be a rather growing habit of politic non-committalism. Having learned from Rousseau and Locke, and our own revolutionary age, its theories and its acts, that the State is nothing but a contract, rests in contract, springs from contract; that government is a contrivance of human wisdom for human wants; that the civil life, like the Sabbath, is made for man, not man for either; having only about seventy years ago laid hold of an arbitrary fragment of the British empire, and appropriated it to ourselves, which is all the country we ever had; having gone on enlarging, doubling, trebling, changing

all this since, as a garment or a house ; accustomed to encounter every day, at the polls, in the market, at the miscellaneous banquet of our Liberty everywhere, crowds of persons whom we never saw before, strangers in the country, yet just as good citizens as ourselves ; with a whole continent before us, or half a one, to choose a home in ; teased and made peevish by all manner of small, local jealousies ; tormented by the stimulations of a revolutionary philanthropy ; enterprising, speculative, itinerant, improving, “ studious of change, and pleased with novelty ” beyond the general habit of desultory man ; — it might almost seem to be growing to be our national humor to hold ourselves free at every instant, to be and do just what we please, go where we please, stay as long as we please and no longer ; and that the State itself were held to be no more than an encampment of tents on the great prairie, pitched at sundown, and struck to the sharp crack of the rifle next morning, instead of a structure, stately and eternal, in which the generations may come, one after another, to the great gift of this social life.

On such sentiments as these, how can a towering and durable fabric be set up ? To use the metaphor of Bacon, on such soil how can “ greatness be sown ” ? How unlike the lessons of the masters, at whose feet you are bred ! The studies of our profession have taught us that the State is framed for a duration without end, — without end — till the earth and the heavens be no more. *Sic constituta civitas ut eterna !* In the eye and contemplation of law, its masses may die ; its own corporate being can never die. If we inspect the language of its fundamental ordinance,

every word expects, assumes, foretells a perpetuity, lasting as "the great globe itself, and all which it inherit." If we go out of that record and inquire for the designs and the hopes of its founders *ab extra*, we know that they constructed it, and bequeathed it, for the latest posterity. If we reverently rise to a conjecture of the purposes for which the Ruler of the world permitted and decreed it to be instituted, in order to discern how soon it will have performed its office and may be laid aside, we see that they reach down to the last hour of the life of the last man that shall live upon the earth; that it was designed by the Infinite Wisdom, to enable the generation who framed it, and all the generations, to perfect their social, moral, and religious nature; to do and to be good; to pursue happiness; to be fitted, by the various discipline of the social life, by obedience, by worship, for the life to come. When these ends are all answered, the State shall die! When these are answered, *intereat et concidat omnis hic mundus!* Until they are answered, *esto, eritque perpetua!*

In the next place, it has been thought that there was developing itself in the general sentiment, and in the practical politics of the time, a tendency towards one of those great changes by which free States have oftenest perished, — a tendency to push to excess the distinctive and characteristic principles of our system, whereby, as Aristotle has said, governments usually perish, — a tendency towards transition from the republican to the democratical era, of the history and epochs of liberty.

Essentially and generally, it would be pronounced by those who discern it a tendency to erect the

actual majority of the day into the *de jure* and actual government of the day. It is a tendency to regard the actual will of that majority as the law of the State. It is a tendency to regard the shortest and simplest way of collecting that will, and the promptest and most irresistible execution of it, as the true polity of liberty. It is a tendency which, pressed to its last development, would, if considerations of mere convenience or inconvenience did not hinder, do exactly this: it would assemble the whole people in a vast mass, as once they used to assemble beneath the sun of Athens; and there, when the eloquent had spoken, and the wise and the foolish had counselled, would commit the transcendent questions of war, peace, taxation, and treaties; the disposition of the fortunes and honor of the citizen and statesman; death, banishment, or the crown of gold; the making, interpreting, and administration of the law; and all the warm, precious, and multifarious interests of the social life, to the madness or the jest of the hour.

I have not time to present what have been thought to be the proofs of the existence of this tendency; and it is needless to do so. It would be presumptuous, too, to speculate, if it has existence, on its causes and its issues. I desire to advert to certain particulars in which it may be analyzed, and through which it displays itself, for the purpose of showing that the studies, employments, and, so to say, professional politics, of the bar are essentially, perhaps availably, antagonistical to it, or moderative of it.

It is said, then, that you may remark this tendency, first, in an inclination to depreciate the uses and usurp the functions of those organic forms in which the

regular, definite, and legally recognized powers of the State are embodied,—to depreciate the uses and usurp the function of written constitutions, limitations on the legislature, the distribution of government into departments, the independence of the judiciary, the forms of orderly proceeding, and all the elaborate and costly apparatus of checks and balances, by which, as I have said, we seek to secure a government of laws and not of men.

“The first condition,”—it is the remark of a man of great genius, who saw very far by glances into the social system, Coleridge,—“the first condition in order to a sound constitution of the body politic is a due proportion between the free and permeative life and energy of the State and its organized powers.” For want of that proportion the government of Athens was shattered and dissolved. For want of that proportion the old constitutions of Solon, the reforms of Clisthenes, the sanctity of the Areopagus, the temperaments of Pericles, were burnt up in the torrent blaze of an unmitigated democracy. Every power of the State—executive, legal, judicial—was grasped by the hundred-handed assembly of the people. The result is in her history. She became a byword of dissension and *injustice*; and that was her ruin.

I wonder how long that incomprehensible democracy would have hesitated, after the spirit of permeative liberty had got the better of the organized forms, upon our Spot Pond, and Long Pond, and Charles River water-questions. This intolerable hardship and circumlocution of applying to a legislature of three independent and coördinate departments, sitting under a written constitution, with an independent ju-

diciary to hold it up to the fundamental law,—the hardship of applying to such a legislature for power to bring water into the city; this operose machinery of orders of notice, hearings before committees, adverse reports, favorable reports rejected, disagreements of the two Houses, veto of Governor, a charter saving vested rights of other people, meetings of citizens in wards to vote unawed, unwatched, every man according to his sober second thought,—how long do you think such conventionalities as these would have kept that beautiful, passionate, and self-willed Athens, standing, like the Tantalus of her own poetry, plunged in crystal lakes and gentle historical rivers up to the chin, perishing with thirst? Why, some fine, sunshiny forenoon, you would have heard the crier calling the people, one and all, to an extraordinary assembly, perhaps in the Piræus, as a pretty full expression of public opinion was desirable and no other place would hold everybody; you would have seen a stupendous mass-meeting roll itself together as clouds before all the winds; standing on the outer edges of which you could just discern a speaker or two gesticulating, catch a murmur as of waves on the pebbly beach, applause, a loud laugh at a happy hit, observe some six thousand hands lifted to vote or swear, and then the vast congregation would separate and subside, to be seen no more. And the whole record of the transaction would be made up in some half-dozen lines to this effect,—it might be in *Æschines*, — that in the month of —, under the archonate of —, the tribe of —, exercising the office of prytanes —, an extraordinary assembly was called to consult on the supply of water; and it appearing

that some six persons of great wealth and consideration had opposed its introduction for some time past, and were moreover vehemently suspected of being no better than they should be, it was ordained that they should be fined in round sums, computed to be enough to bring in such a supply as would give every man equal to twenty-eight gallons a day ; and a certain obnoxious orator having inquired what possible need there was for so much a head, Demades, the son of the Mariner, replied, that that person was the very last man in all Athens who should put that question, since the assembly must see that he at least could use it to great advantage by washing his face, hands, and robes ; and thereupon the people laughed and separated.

And now am I misled by the influence of vocation, when I venture to suppose that the profession of the Bar may do somewhat — should be required to do somewhat — to preserve the true proportion of liberty to organization, — to moderate and to disarm that eternal antagonism ?

These “ organic forms ” of our system, — are they not in some just sense committed to your professional charge and care ? In this sense, and to this extent, does not your profession approach to, and blend itself with, one, and that not the least in dignity and usefulness, of the departments of statesmanship ? Are you not thus statesmen while you are lawyers, and because you are lawyers ? These constitutions of government by which a free people have had the virtue and the sense to restrain themselves, — these devices of profound wisdom and a deep study of man, and of the past, by which they have meant to secure

the ascendancy of the just, lofty, and wise, over the fraudulent, low, and insane, in the long run of our practical politics, — these temperaments by which justice is promoted, and by which liberty is made possible and may be made immortal, — and this *jus publicum*, this great written code of public law, — are they not a part, in the strictest and narrowest sense, of the appropriate science of your profession? More than for any other class or calling in the community, is it not for you to study their sense, comprehend their great uses, and explore their historical origin and illustrations, — to so hold them up as shields, that no act of legislature, no judgment of court, no executive proclamation, no order of any functionary of any description, shall transcend or misconceive them, — to so hold them up before your clients and the public, as to keep them at all times living, intelligible, and appreciated in the universal mind?

Something such has, in all the past periods of our history, been one of the functions of the American Bar. To vindicate the true interpretation of the charters of the colonies, to advise what forms of polity, what systems of jurisprudence, what degree and what mode of liberty these charters permitted, — to detect and expose that long succession of infringement which grew at last to the Stamp Act and Tea Tax, and compelled us to turn from broken charters to national independence, — to conduct the transcendent controversy which preceded the Revolution, that grand appeal to the reason of civilization, — this was the work of our first generation of lawyers. To construct the American constitutions, — the higher praise of the second generation. I claim it in part for the



sobriety and learning of the American Bar; for the professional instinct towards the past; for the professional appreciation of order, forms, obedience, restraints; for the more than professional, the profound and wide intimacy with the history of all liberty, classical, mediæval, and, above all, of English liberty, — I claim it in part for the American Bar that, springing into existence by revolution, — revolution, which more than any thing and all things lacerates and discomposes the popular mind, — justifying that revolution only on a strong principle of natural right, with not one single element or agent of monarchy or aristocracy on our soil or in our blood, — I claim it for the Bar that the constitutions of America so nobly closed the series of our victories! These constitutions owe to the Bar more than their terse and exact expression and systematic arrangements; they owe to it, in part, too, their elements of permanence; their felicitous reconciliation of universal and intense liberty with forms to enshrine and regulations to restrain it; their Anglo-Saxon sobriety and gravity conveyed in the genuine idiom, suggestive of the grandest civil achievements of that unequalled race. To interpret these constitutions, to administer and maintain them, this is the office of our age of the profession. Herein have we somewhat wherein to glory; hereby we come into the class and share in the dignity of founders of States, of restorers of States, of preservers of States.

I said and I repeat that, while lawyers, and because we are lawyers, we are statesmen. We are by profession statesmen. And who may measure the value of this department of public duty? Doubtless in

statesmanship there are many mansions, and large variety of conspicuous service. Doubtless to have wisely decided the question of war or peace,—to have adjusted by a skilful negotiation a thousand miles of unsettled boundary-line,—to have laid the corner-stone of some vast policy whereby the currency is corrected, the finances enriched, the measure of industrial fame filled,—are large achievements. And yet I do not know that I can point to one achievement of this department of American statesmanship, which can take rank for its consequences of good above that single decision of the Supreme Court, which adjudged that an act of legislature contrary to the Constitution is void, and that the judicial department is clothed with the power to ascertain the repugnancy and to pronounce the legal conclusion. That the framers of the Constitution intended this should be so, is certain ; but to have asserted it against the Congress and the Executive,—to have vindicated it by that easy yet adamant demonstration than which the reasonings of the mathematics show nothing surer,—to have inscribed this vast truth of conservatism on the public mind, so that no demagogue, not in the last stage of intoxication, denies it,—this is an achievement of statesmanship of which a thousand years may not exhaust or reveal all the good.

It has been thought, in the next place, that you may remark this unfavorable tendency in a certain false and pernicious *idea of law*, which to some extent possesses the popular mind,—law, its source, its nature, its titles to reverence. Consider it a moment, and contrast it with our idea of law.

It is one of the distemperatures to which an unreasoning liberty may grow, no doubt, to regard *law* as no more nor less than just the will—the actual and present will—of the actual majority of the nation. The majority govern. What the majority pleases, it may ordain. What it ordains is law. So much for the source of law, and so much for the nature of law. But, then, as law is nothing but the will of a major number, as that will differs from the will of yesterday, and will differ from that of to-morrow, and as all law is a restraint on natural right and personal independence, how can it gain a moment's hold on the reverential sentiments of the heart, and the profounder convictions of the judgment? How can it impress a filial awe; how can it conciliate a filial love; how can it sustain a sentiment of veneration; how can it command a rational and animated defence? Such sentiments are not the stuff from which the immortality of a nation is to be woven! Oppose now to this the loftier philosophy which we have learned. In the language of our system, the law is not the transient and arbitrary creation of the major will, nor of any will. It is not the offspring of will at all. It is the absolute justice of the State, enlightened by the perfect reason of the State. That is law. Enlightened justice assisting the social nature to perfect itself by the social life. It is ordained, doubtless, that is, it is chosen, and is ascertained by the wisdom of man. But, then, it is the master-work of man. *Quæ est enim istorum oratio tam exquisita, quæ sit anteponenda bene constitutæ civitati publico jure, et moribus?*<sup>1</sup>

<sup>1</sup> Cicero de Republica, I. 2.

By the costly and elaborate contrivances of our constitutions we have sought to attain the transcendent result of extracting and excluding haste, injustice, revenge, and folly from the place and function of giving the law, and of introducing alone the reason and justice of the wisest and the best. By the aid of time, — time which changes and tries all things ; tries them, and works them pure, — we subject the law, after it is given, to the tests of old experience, to the reason and justice of successive ages and generations, to the best thoughts of the wisest and safest of reformers. And then and thus we pronounce it good. Then and thus we cannot choose but reverence, obey, and enforce it. We would grave it deep into the heart of the undying State. We would strengthen it by opinion, by manners, by private virtue, by habit, by the awful hoar of innumerable ages. All that attracts us to life, all that is charming in the perfected and adorned social nature, we wisely think or we wisely dream, we owe to the all-encircling presence of the law. Not even extravagant do we think it to hold, that the Divine approval may sanction it as not unworthy of the reason which we derive from His own nature. Not extravagant do we hold it to say, that there is thus a voice of the people which is the voice of God.

Doubtless the known historical origin of the law contributes to this opinion of it. Consider for a moment — what that law really is, what the vast body of that law is, to the study and administration of which the lawyer gives his whole life, by which he has trained his mind, established his fortune, won his fame, the theatre of all his triumphs, the means of all

his usefulness, the theme of a thousand earnest panegyrics, — what is that law? Mainly, a body of digested rules and processes and forms, bequeathed by what is for us the old and past time, not of one age, but all the ages of the past, — a vast and multifarious aggregate, some of which you trace above the pyramids, above the flood, the inspired wisdom of the primeval East; some to the scarcely yet historical era of Pythagoras, and to Solon and Socrates; more of it to the robust, practical sense and justice of Rome, the lawgiver of the nations; more still to the teeming birthtime of the modern mind and life; all of it to some epoch; some of it to every epoch of the past of which history keeps the date. In the way in which it comes down to us, it seems one mighty and continuous stream of experience and reason, accumulated, ancestral, widening and deepening and washing itself clearer as it runs on, the grand agent of civilization, the builder of a thousand cities, the guardian angel of a hundred generations, our own hereditary laws. To revere such a system, would be natural and professional, if it were no more. But it is reasonable, too. There is a deep presumption in favor of that which has endured so long. To say of any thing, that it is old, and to leave the matter there, — an opinion, a polity, a code, a possession, a book, — is to say nothing of praise or blame. But to have lived for ages; to be alive to-day, — in a real sense alive, — alive in the hearts, in the reason of to-day; to have lived through ages, not swathed in gums and spices and enshrined in chambers of pyramids, but through ages of unceasing contact and sharp trial with the passions, interests, and affairs of the great world; to

have lived through the drums and tramlings of conquests, through revolution, reform, through cycles of opinion running their round; to have lived under many diverse systems of policy, and have survived the many transmigrations from one to another; to have attended the general progress of the race, and shared in its successive ameliorations, — thus to have gathered upon itself the approbation or the sentiments and reason of all civilization and all humanity, — that is, *per se*, a *prima-facie* title to intelligent regard. There is a virtue, there is truth, in that effacing touch of time. It bereaves us of our beauty; it calls our friends from our side, and we are alone; it changes us, and sends us away. But spare what it spares. Spare till you have proved it. Where that touch has passed and left no wrinkle nor spot of decay, what it has passed and left ameliorated and beautified, whatever it be, stars, sea, the fame of the great dead, the State, the law, which is the soul of the State, be sure that therein is some spark of an immortal life.

It is certain that in the American theory, the free theory of government, it is the right of the people, at any moment of its representation in the legislature, to make all the law, and, by its representatives in conventions, to make the Constitution anew. It is their right to do so peaceably and according to existing forms, and to do it by revolution against all forms. This is the theory. But I do not know that any wise man would desire to have this theory every day, or ever, acted upon up to its whole extent, or to have it eternally pressed, promulgated, panegyricized as the grand peculiarity and chief privilege of our

condition. Acting upon this theory, we have made our constitutions, founded our policy, written the great body of our law, set our whole government going. It worked well. It works to a charm. I do not know that any man displays wisdom or common sense, by all the while haranguing and stimulating the people to change it. I do not appreciate the sense or humanity of all the while bawling: true, your systems are all good; life, character, property, all safe, — but you have the undoubted right to rub all out and begin again. If I see a man quietly eating his dinner, I do not know why I should tell him that there is a first-rate, extreme medicine, prussic acid, aquafortis, or what not, which he has a perfectly good right to use in any quantity he pleases! If a man is living happily with his wife, I don't know why I should go and say: yes, I see; beautiful and virtuous; I congratulate you, — but let me say, you can get a perfectly legal divorce by going to Vermont, New Jersey, or Pennsylvania. True wisdom would seem to advise the culture of dispositions of rest, contentment, conservation. True wisdom would advise to lock up the extreme medicine till the attack of the alarming malady. True wisdom would advise to place the power of revolution, overturning all to begin anew, rather in the background, to throw over it a politic, well-wrought veil, to reserve it for crises, exigencies, the rare and distant days of great historical epochs. These great, transcendental rights should be preserved, must be, will be. But perhaps you would place them away, reverentially, in the profoundest recesses of the chambers of the dead, down in deep vaults of black marble, lighted by a single silver

lamp,—as in that vision of the Gothic king,—to which wise and brave men may go down, in the hour of extremity, to evoke the tremendous divinities of change from their sleep of ages.

“Ni faciat, maria, ac terras, cœlumque profundum,  
Quippe ferant rapidi secum, verrantque per auras.”<sup>1</sup>

To appreciate the conservative agency and functions of the legal profession, however, it is time to pass from an analysis of the sentiments and opinions which distinguish it, to the occupation by which it is employed. The single labor of our lives is the administration of the law; and the topic on which I wish to say a word in conclusion is, the influence of the actual administration of law in this country on the duration of our free systems themselves. The topic is large and high, and well deserves what I may not now attempt, a profound and exact discussion.

I do not know that in all the elaborate policy by which free States have sought to preserve themselves, there is one device so sure, so simple, so indispensable, as justice,—justice to all; justice to foreign nations of whatever class of greatness or weakness; justice to public creditors, alien or native; justice to every individual citizen, down to the feeblest and the least beloved; justice in the assignment of political and civil right, and place, and opportunity; justice between man and man, every man and every other,—to observe and to administer this virtue steadily, uniformly, and at whatever cost,—this, the best policy and the final course of all governments, is pre-eminently the policy of free governments. Much the

<sup>1</sup> *Æn.* I. 58, 59.



most specious objection to free systems is, that they have been observed in the long run to develop a tendency to some mode of injustice. Resting on a truer theory of natural right in their constitutional construction than any other polity, founded in the absolute and universal equality of man, and permeated and tinged and all astir with this principle through all their frame, and, so far, more nobly just than any other, the doubt which history is supposed to suggest is, whether they do not reveal a tendency towards injustice in other ways. Whether they have been as uniformly true to their engagements. Whether property and good name and life have been quite as safe. Whether the great body of the *jus privatum* has been as skilfully composed and rigorously administered as under the less reasonable and attractive systems of absolute rule. You remember that Aristotle, looking back on a historical experience of all sorts of governments extending over many years — Aristotle who went to the court of Philip a republican, and came back a republican — records, in his *Politics*, *injustice* as the grand and comprehensive cause of the downfall of democracies. The historian of the Italian democracies extends the remark to them. That all States should be stable in proportion as they are just, and in proportion as they administer justly, is what might be asserted.

If this end is answered ; if every man has his own exactly and uniformly, absolutism itself is found tolerable. If it is not, liberty — slavery, are but dreary and transient things. *Placida quies sub libertate*, in the words of Algernon Sydney and of the seal of Massachusetts, — that is the union of felicities which

should make the State immortal. Whether Republics have usually perished from injustice, need not be debated. One there was, the most renowned of all, that certainly did so. The injustice practised by the Athens of the age of Demosthenes upon its citizens, and suffered to be practised by one another, was as marvellous as the capacities of its dialect, as the eloquence by which its masses were regaled, and swayed this way and that as clouds, as waves,—marvellous as the long banquet of beauty in which they revelled,—as their love of Athens, and their passion of glory. There was not one day in the whole public life of Demosthenes when the fortune, the good name, the civil existence of any considerable man was safer there than it would have been at Constantinople or Cairo under the very worst forms of Turkish rule. There was a sycophant to accuse, a demagogue to prosecute, a fickle, selfish, necessitous court—no court at all, only a commission of some hundreds or thousands from the public assembly sitting in the sunshine, directly interested in the cause—to pronounce judgment. And he who rose rich and honored might be flying at night for his life to some Persian or Macedonian outpost, to die by poison on his way in the temple of Neptune.

Is there not somewhat in sharing in that administration, observing and enjoying it, which tends to substitute in the professional and in the popular mind, in place of the wild consciousness of possessing summary power, ultimate power, the wild desire to exert it, and to grasp and subject all things to its rule,—to substitute for this the more conservative sentiments of reverence for a law independent of, and distinct

from, and antagonistical to, the humor of the hour? Is there not something in the study and administrative enjoyment of an elaborate, rational, and ancient jurisprudence, which tends to raise the law itself, in the professional and in the general idea, almost up to the nature of an independent, superior reason, in one sense out of the people, in one sense above them, — out of and above, and independent of, and collateral to, the people of any given day? In all its vast volumes of provisions, very little of it is seen to be produced by the actual will of the existing generation. The first thing we know about it is, that we are actually being governed by it. The next thing we know is, we are rightfully and beneficially governed by it. We did not help to make it. No man now living helped to make much of it. The judge does not make it. Like the structure of the State itself, we found it around us at the earliest dawn of reason, it guarded the helplessness of our infancy, it restrained the passions of our youth, it protects the acquisitions of our manhood, it shields the sanctity of the grave, it executes the will of the departed. Invisible, omnipresent, a real yet impalpable existence, it seems more a spirit, an abstraction, — the whispered yet authoritative voice of all the past and all the good, — than like the transient contrivance of altogether such as ourselves. We come to think of it, not so much as a set of provisions and rules which we can unmake, amend, and annul, as of a guide whom it is wiser to follow, an authority whom it is better to obey, a wisdom which it is not unbecoming to revere, a power — a superior — whose service is perfect freedom. Thus at last the spirit of the law

descends into the great heart of the people for healing and for conservation. Hear the striking platonisms of Coleridge: "Strength may be met with strength: the power of inflicting pain may be baffled by the pride of endurance: the eye of rage may be answered by the stare of defiance, or the downcast look of dark and revengeful resolve: and with all this there is an outward and determined object to which the mind can attach its passions and purposes, and bury its own disquietudes in the full occupation of the senses. But who dares struggle with an *invisible* combatant, with an enemy which exists and makes us know its existence, but *where* it is we ask in vain? No space contains it, time promises no control over it, it has no ear for my threats, it has no substance that my hands can grasp or my weapons find vulnerable; it commands and cannot be commanded, it acts and is insusceptible of my reaction, the more I strive to subdue it, the more am I compelled to think of it, and, the more I think of it, the more do I find it to possess a reality out of myself, and not to be a phantom of my own imagination; — that all but the most abandoned men acknowledge its authority, and that the whole strength and majesty of my country are pledged to support it; and yet that *for me* its power is the same with that of my own permanent self, and that all the choice which is permitted to me consists in having it for my guardian angel or my avenging fiend. This is the spirit of LAW, — the lute of Amphion, — the harp of Orpheus. This is the true necessity which compels man into the social state, now and always, by a still beginning, never ceasing, force of moral cohesion." <sup>1</sup>

<sup>1</sup> The Friend.

In supposing that conservation is the grand and prominent public function of the American Bar in the State, I have not felt that I assigned to a profession, to which I count it so high a privilege to belong, a part and a duty at all beneath its loftiest claims. I shall not deny that to found a State which grows to be a nation, on the ruins of an older, or on a waste of earth where was none before, is, intrinsically and in the judgment of the world, of the largest order of human achievements. Of the chief of men are the *conditores imperiorum*. But to keep the city is only not less difficult and glorious than to build it. Both rise, in the estimate of the most eloquent and most wise of Romans, to the rank of divine achievement. I appreciate the uses and the glory of a great and timely reform. Thrice happy and honored who leaves the Constitution better than he found it. But to find it good and keep it so, this, too, is virtue and praise.

It was the boast of Augustus, — as Lord Brougham remembers in the close of his speech on the improvement of the law, — that he found Rome of brick and left it of marble. Ay. But he found Rome free, and left her a slave. He found her a republic, and left her an empire! He found the large soul of Cicero unfolding the nature, speaking the high praise, and recording the maxims of regulated liberty, with that eloquence which so many millions of hearts have owned, — and he left poets and artists! We find our city of marble, and we will leave it marble. Yes, all, all, up to the grand, central, and eternal dome; we will leave it marble, as we find it. To that office, to that praise, let even the claims of your profession be subordinated. *Pro clientibus sæpe; pro lege, pro republica semper.*



THE ELOQUENCE OF REVOLUTIONARY  
PERIODS:

A LECTURE DELIVERED BEFORE THE MECHANIC APPRENTICES' LIBRARY ASSOCIATION, FEBRUARY 19, 1857.

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IF you consider deliberative eloquence, in its highest forms and noblest exertion, to be the utterances of men of genius practised, earnest, and sincere, according to a rule of art, in presence of large assemblies, in great conjunctures of public affairs, *to persuade a People*, it is quite plain that those largest of all conjunctures, which you properly call times of revolution, must demand and supply a deliberative eloquence *all their own*.

All kinds of genius, — I mean of that genius whose organ is art or language, and whose witness, hearer, and judge is the eye, ear, imagination, and heart of cultivated humanity, — if cast on a marked and stormy age, an age lifted above and out of the even, general flow of prescriptive life, by great changes, new ideas, and strong passions, extraordinary abilities and enterprises, some grand visible revelation of the death-throes, birth-times, in which an old creation passes away and a new one comes to light, — all kinds of such genius, cast on such an age, are tinged and moulded by it. None so hardy, none so spiritual, none so individualized, none so self-nourished, none

so immersed in its own consciousness, subjectivity, and self-admiration, as not to own and bow to the omnipresent manifested spirit of the time. Goethe, Byron, Alfieri, the far mightier Milton, are ready illustrations of this. Between them and that crisis of the nations, and of the race in which they lived, on which they looked fascinated, entranced, how influence and inevitable the sympathy! Into that bright or dim dream of enchantment, invention, ideality, in which was their poet-life, how are the shapes of this outward world projected, how its cries of despair or triumph reëcho there, that new heaven and new earth, their dwelling-place; how they give back the cloud and storm, the sunshine and waning moon; how they breathe the gales, and laugh with the flowers, and sadden with the wastes, of our earth and sky! Topics, treatment, thoughts, characters, moods, — how they all but imitate and reproduce the real in the ideal, life in immortality. Take the extraordinary instance of Milton. That England of the great Civil War, the England of the Commonwealth and Cromwell, that England which saw the king dis-crowned and beheaded, the House of Lords abolished, Puritanism triumphant on the bloody days of Worcester and Dunbar, the deliberations of the Long Parliament, the Westminster Assembly constructing and promulgating its creed on the awful mysteries, — how does the presence and influence of that England seem to haunt you in "Samson Agonistes," in "Paradise Lost," in "Paradise Regained," — a memory, a sense of earth revived in the peace of the world beyond the grave, ages after death! Milton's soul, if ever mortal spirit did so, was "a star, and dwelt apart."

Yet everywhere, almost, — in the dubious war on the plains of heaven ; in the debates of the synod of fallen demigods ; in the tremendous conception of that pride and will and self-trust, which rose in the Archangel ruined against the Highest ; in those dogmas and those speculations of theology which wander unresting, unanswered, through eternity ; in that tone of austere independence and indignant insubordination, obedient, however, to a higher law and a diviner vision ; in that contempt of other human judgments, and defiant enunciation of its own, — everywhere you seem to meet the Puritan, the Republican, the defender of the claim of the people of England to be free ; the apologist, the advocate of the execution of kings ; the champion in all lands and all ages of the liberty of conscience, of speech, of the press ; the secretary, the counsellor of Cromwell ; the child, organ, memorial of the age. That heroic individuality, what was it but the product of a hard, unaccommodating, original, mighty nature, moulded and tinged by the tragic and sharp realities of national revolution ? and it seems to go with him, partaking of its mixed original, whithersoever the song wanders, soars, or sinks, — in the paths of Eden, on the “perilous edge of battle” waged for the throne of God, in reporting the counsels of the Infinite in the past eternity, in hailing the Holy Light on which those orbs, overplied, as he consoled himself, in liberty’s defence, were closed for ever.

So, too, of the lesser but yet resplendent names of Goethe, Byron, Alfieri : the spirit of the time was as vehement in them as it was in the young Napoleon. They shared its fire, its perturbed and towering mind,



its longings, its free thinking, its passion of strong sensations, its deep insights, its lust of power and of change, and all its dark unrest, as fully as he did ; and they uttered its voices in those troubled, unequalled songs, as *he* uttered them first at Marengo and Lodi by the cannon of his victories.

Sometimes the blessedness of that great calm which follows the exhausted tempest of the moral heaven, in which the winds go down and the billows rock themselves to sleep, is imaged in the poems of an age. That most consummate effort of the finer genius of Rome, — the Georgics of Virgil, for example, — that decorated, abundant, and contented Italy that smiles there ; the cattle, larger and smaller, on so many hills ; the holidays of vintage ; the murmur of bees ; the happy husbandman ; the old, golden age of Saturn returning, — what is all that but the long sigh of the people of Rome, the sigh of Italy, the sigh of the world, breathed through that unequalled harmony and sensibility, for peace, — peace under its vine and fig-tree, — peace, rest, after a hundred years of insecurity, convulsion, and blood ?

Now, if that form of genius, — genius in art, in poetry, whose end is delight, whose wanderings

“ are where the Muses haunt  
Clear spring, or shady green, or sunny hill,”

whose nourishment is

“ Of thoughts that voluntary move harmonious numbers,”

— if that kind, — solitary, introspective, the creature of the element, — takes a bias and a tincture from a strongly agitated time, how much truer must this be of that genius whose office, whose art, it is, by speech,

by deep feelings and earnest convictions overflowing in eloquent speech, to communicate with the people of such a time directly upon the emotions it excites, the hopes it inspires, the duties it imposes, the tremendous alternative it holds out? How inevitable that the eloquence of revolutions should be all compact of the passing hour! How inevitable that the audiences such seasons assemble, the crises hurried onward as the sea its succession of billows, the great passions they set on fire, the pity, the terror they justify, the mighty interests they place at stake, the expansive and gorgeous ideas on which they roll, the simplicity, definiteness, and prominence of the objects which they set before all men's eyes, the concussion, the stimulation which they give to the whole meditative as well as emotional faculties of a generation, — how inevitable that such a conjunctive age and revolution should create its own style and tone and form of public speech!

For what is a revolution? I shall call it that agony through which, by which, — the accustomed course, the accustomed and normal ebb and flow, of the life of the State, being violently suspended, from causes in part internal, — a new nation is born, or an old nation dies, or by which, without losing its identity, a nation puts off its constitution of tyranny and becomes free, self-governed, or is despoiled of its constitution of freedom and becomes enslaved, the slave of its own government. Such a change as either of these, — such a birth, such a dying, such emancipation, such enslavement, — such a change, — vast, violent, compressed within some comparatively brief time, palpable to all sense and all consciousness, so that

thousands, millions, feel together that the spell of a great historical hour is upon them all at once, — such an one I call a revolution. And these are they which are transacted on the high places of the world, and make up the epic and the tragic matter of the story of nations.

Illustrations of all these kinds will readily occur to you. Of one class, of a revolution in which a national life expired, internal causes co-working with force from without, you see an instance, grand, sad, memorable in that day, when, in the downward age of Greece, that once radiant brow was struck by Philip, and by the successors of Alexander, for ever to the earth. Of a revolution in which a nation, keeping its life, its identity, exchanged a government of freedom for a government of tyranny, you have an instance, not less grand and memorable, bloodier and fuller of terror in its incidents and instrumentalities, in that time when republican Rome became the Rome of the Cæsars, and the dignity of the Senate unrobed itself, and the proud and noble voice of the people in the forum died away in the presence of the purple and the guard. Of that type of revolution in which a nation, still keeping its life and identity, exchanges her constitution of slavery for one of freedom, or seems to do so, or rises to do so, you will recall the example of the France of 1789. Of that other type of revolution in which a nation begins, or seems to begin, to be, there are examples in Ireland in 1782, in America in 1776. These, and such as these, if other such there are, I call revolutions.

In some things, — in causes, incidents, issues, lessons, distinguished from one another by some traits

of the eloquence they demand and supply, — there is a certain common character to them all; and there are certain common peculiarities by which the eloquence of them all is sure to be unlike, essentially, the whole public speech of times quieter, happier, less crowded, less glorious.

Glance first at the common characteristics of all the deliberative eloquence of all the classes of revolutions, as I have defined revolution.

If you bear in mind that the aim of deliberative eloquence is *to persuade to an action*, and that to persuade to an action it must be shown that to perform it will gratify some one of the desires or affections or sentiments, — you may call them, altogether, *passions*, — which are the springs of all action, some love of our own happiness, some love of our country, some love of man, some love of honor, some approval of our own conscience, some fear or some love of God, you see *that* eloquence will be characterized, — first, by the nature of the actions to which it persuades; secondly, by the nature of the desire or affection or sentiment, — the nature of the passion, in other words, — by appeal to which it seeks to persuade to the action; and then, I say, that the capital peculiarity of the eloquence of all times of revolution, as I have described revolution, is that the actions it persuades to are the highest and most heroic which men can do, and the passions it would inspire, in order to persuade to them, are the most lofty which man can feel. “High actions and high passions,” — such are Milton’s words, — high actions through and by high passions; these are the end and these the means of the orator of the revolution.

Hence are his topics large, simple, intelligible, affecting. Hence are his views broad, impressive, popular; no trivial details, no wire-woven developments, no subtle distinctions and drawing of fine lines about the boundaries of ideas, no speculation, no ingenuity; all is elemental, comprehensive, intense, practical, unqualified, undoubting. It is not of the small things of minor and instrumental politics he comes to speak, or men come to hear. It is not to speak or to hear about permitting an Athenian citizen to change his tribe; about permitting the Roman Knights to have jurisdiction of trials equally with the Senate; it is not about allowing a £10 house-holder to vote for a member of Parliament; about duties on indigo, or onion-seed, or even tea.

“That strain you hear is of an higher mood.”

It is the rallying cry of patriotism, of liberty, in the sublimest crisis of the State,—of man. It is a deliberation of empire, of glory, of existence on which they come together. To be or not to be,—that is the question. Shall the children of the men of Marathon become slaves of Philip? Shall the majesty of the senate and people of Rome stoop to wear the chains forging by the military executors of the will of Julius Cæsar? Shall the assembled representatives of France, just waking from her sleep of ages to claim the rights of man,—shall they disperse, their work undone, their work just commencing; and shall they disperse at the order of the king? or shall the messenger be bid to go, in the thunder-tones of Mirabeau,—and tell his master that “we sit here to do the will of our constituents, and that we will not be

moved from these seats but by the point of the bayonet"? Shall Ireland bound upward from her long prostration, and cast from her the last link of the British chain, and shall she advance "from injuries to arms, from arms to liberty," from liberty to glory?

Shall the thirteen Colonies become, and be, free and independent States, and come unabashed, unterrified, an equal, into the majestic assembly of the nations? These are the thoughts with which all bosoms are distended and oppressed. Filled with these, with these flashing in every eye, swelling every heart, pervading electric all ages, all orders, like a visitation, "an unquenchable public fire," men come together, — the thousands of Athens around the Bema, or in the Temple of Dionysus, — the people of Rome in the forum, the Senate in that council-chamber of the world, — the masses of France, as the spring-tide, into her gardens of the Tuileries, her club-rooms, her hall of the convention, — the representatives, the genius, the grace, the beauty of Ireland into the Tuscan Gallery of her House of Commons, — the delegates of the Colonies into the Hall of Independence at Philadelphia, — thus men come, in an hour of revolution, to hang upon the lips from which they hope, they need, they demand, to hear the things which belong to their national salvation, hungering for the bread of life.

And then and thus comes the orator of that time, kindling with their fire; sympathizing with that great beating heart; penetrated, not subdued; lifted up rather by a sublime and rare moment of history made real to his consciousness; charged with the very mission of life, yet unassured whether they will

hear or will forbear ; transcendent good within their grasp, yet a possibility that the fatal and critical opportunity of salvation will be wasted ; the last evil of nations and of men overhanging, yet the siren song of peace — peace when there is no peace — chanted madly by some voice of sloth or fear, — there and thus the orators of revolutions come to work their work ! And what then is demanded, and how it is to be done, you all see ; and that in some of the characteristics of their eloquence they must all be alike. *Actions*, not law or policy, whose growth and fruits are to be slowly evolved by time and calm ; actions daring, doubtful but instant ; the new things of a new world, — these are what the speaker counsels ; large, elementary, gorgeous ideas of right, of equality, of independence, of liberty, of progress through convulsion, — these are the principles from which he reasons, *when he reasons*, — these are the pinions of the thought on which he soars and stays ; and then the primeval and indestructible sentiments of the breast of man, — his sense of right, his estimation of himself, his sense of honor, his love of fame, his triumph and his joy in the dear name of country, the trophies that tell of the past, the hopes that gild and herald her dawn, — these are the springs of action to which he appeals, — these are the chords his fingers sweep, and from which he draws out the troubled music, “solemn as death, serene as the undying confidence of patriotism,” to which he would have the battalions of the people march ! Directness, plainness, a narrow range of topics, few details, few but grand ideas, a headlong tide of sentiment and feeling ; vehement, indignant, and reproachful rea-

sonings, — winged general maxims of wisdom and life; an example from Plutarch; a pregnant sentence of Tacitus; thoughts going forth as ministers of nature in robes of light, and with arms in their hands; thoughts that breathe and words that burn, — these vaguely, approximately, express the general type of all this speech.

I have spoken of some characteristics common to the eloquence of all revolutions. But they differ from one another; and their eloquence differs too.

Take first that instance — sad, grand, and memorable for ever — in which Greece, prepared for it by causes acting within, perished at last by the gold and the phalanx of Macedon. The orator of that time is the first name in the ancient eloquence, in some respects — in the transcendent opportunity of his life and death at least — the first name in *all* eloquence, — Demosthenes.

Begin with him, — the orator of the nation which is expiring. The most Athenian of the Athenians, the most Greek of all the Greeks, it was his mission to utter the last and noblest protest of Grecian independence, and to pour out the whole gathered, traditional, passionate patriotism of the freest and most country-loving of all the races of man, in one final strain of higher mood than the world before or since has heard. The scheme of politics, the ethics, the public service, the eloquence, the whole life, of this man have all the unity and consistency of parts, — all the simplicity and rapid and transparent flow of a masterpiece of Attic art. That dying hour in the Temple of Neptune brought the long tragic action with a befitting grandeur and terror and pity to its



close. At the moment when he became of age to take on him the first duties of Athenian citizenship, he saw soonest of his countrymen, with keenest and justest discernment, that the independence of Athens — the independence of the whole old historical Greece — was directly and formidably assailed by the arms and the gold of a rising, half-barbarous military monarchy on its northern frontier. If that Philip — if that Alexander — succeeded in the design so transparent to his eye, — so transparent to ours now, though some good men and wise men could not yet see it so, — the Greece of his birth, pride, and love, — that fair, kindred group of States, not straitly united by a constitution, yet to him, by language, by blood, by culture, by institutions, by tradition, by trophies, — “the descent and concatenation and distribution of glory,” — by disdain of masters abroad and tyrants at home, seeming to him a beautiful identity, — that Greece would perish for evermore. To frustrate that design, was the *one single* effort of the public life of Demosthenes of thirty years. To devise, to organize and apply, the means of doing so, was the one single task of all his statesmanship, all his diplomacy, all his plans of finance, all his political combinations, all his matchless eloquence.

Whatsoever of usefulness, or goodness, or grandeur there is in patriotism, — that patriotism which is employed in keeping its country alive, — all this praise is his. Some there were in that downward age — some ponderous historians of Greece there are now — who said and say that a Macedonian conquest was not so bad a thing; that it was not so much a dying of Greece as a new life in another body, a

higher being, a mere transmutation of matter, a mere diffusion of the race and language, the fountain merely sinking into the earth in Attica to rise in Syria, to rise in Alexandria. All these metaphysics of history were lost on him. He felt like a Greek who was a Greek. He felt that the identity of Greek political life consisted in this: that it owned no foreign master, and that it acknowledged no despotic single will at home. Independence of all the world without; self-government; the rule and the obedience of law self-imposed; rights and obligations reciprocally due, — due from man to man within the city, under the constitution, — this was in essence Grecian public life — Grecian life. Love of beauty and of glory, faultless taste, subtilty and fancy in supreme degree, overflowing in an art, a poetry, a speculative philosophy, an eloquence, a whole literature, — making up so large a part of our manifold and immortal inheritance from the past, — this was greatness too, certainly. But it is in her pride of independence, and in her tempestuous internal freedom; it is in Marathon or Thermopylæ and the games of the Olympia — and that stormy, quick-witted, wilful and passionate people — that he recognized, that we recognize, the true and nobler individuality.

To keep all this against the gold and the spear of that half-civilized military despotism — in the first rising strength of a new national life — was the mission, say rather the high endeavor of Demosthenes. To this for a lifetime he gave himself, — he abandoned himself, — nor rested till all was over; and a little poison in a ring was all the dying mother could leave her child to help him escape her mur-

derers and his; death by poison in the temple on the island, — praise, tears, and admiration through all time.

You see at once, in the singleness and simplicity, yet difficulty and grandeur, of the work he had to work, an explanation of many of the characteristics of his eloquence usually dwelt on, — its directness, its perspicuity, its disdain of ornament, its freedom from dissertation, and refining, and detail, and wearisome development, — the fewness of its topics, the limited range of its ideas, — *its harmony and unity of spirit and effect*, — the whole speech of three hours seeming but one blow of a thunderbolt, by which a tower, a furlong of a city-wall, might tumble down, — its austere, almost fierce, gloomy intensity and earnestness, — its rapidity and vehemence, — the indignation, the grief, the wonder, the love which seem to cry out, “Why will ye die?”

But this brings me to say that there are other characteristics less spoken of: here and there through these grand exhortations there breathes another tone, for which you must seek another solution. That spirit — so vehement, so enthusiastic, so hopeful, so bold — was clear-sighted too; and he could not fail to discern in all things around him but too much cause to fear that he had come on the last times of Greece. Yes, he might well see and feel that it was his to be the orator of the expiring nation!

The old public life of Greece was in its decay. The outward, visible Athens seemed unchanged. There she sat, as in the foretime, on her citadel rock, in sight of her auxiliar sea, crowned, garlanded, wanton, with all beauty, all glory, and all delight.

Yet all was changed! There stood the walls of Themistocles; but the men of Marathon, where were they? Instead — vanity, effeminacy, sensual self-indulgence, sordid avarice, distrust of the gods, — the theatre, the banquet, the garland dripping with Samian wine!

The second childhood had come. Like their own grasshoppers, they would make their old age an ungraceful infancy, an evening revel, and sing their fill. Gleams of the once matchless race and time broke through here and there, and played on the surface, as the sun setting on Salamis; but the summer was ending; the day was far spent; the bright consummate flower that never might in other climate grow, was fain to bow to the dread decree of eternal change!

The great statesman was himself unchanged. His whole public life, therefore, was a contention. It was one long breathing, one long trust, one long prayer that these dry bones might live.

Therefore, also, ever, there seems to me through all that fire, sublimity, and confidence, a certain — I know not what I should call it — a half-indulged, half-repressed consciousness that all is lost, and all is vain! It is as if the orator were a prophet too, and the vision he saw confronted and saddened the speech he uttered. There is the expostulation, the reproach, the anger, the choking grief of a patriot who has his whole country, literally, within the sound of his voice, among the scenes of all their glory, who knows — who thinks he knows — as well as he knows his own existence, that if they WILL, they SHALL be free, — who cannot let go the dear and sweetest error, if it is so, of salvation possible to the State, and yet,

when the pause of exhaustion comes, and the vision his wishes had sketched shows less palpably, and the glow of the spirit sinks, almost owns to himself that the hope he felt was but the resolution of despair.

“I see a hand you cannot see,  
I hear a voice you cannot hear!”

Three days of this man's life stand out to the imagination from its grand, sad, general tenor.

First of these was that in his thirtieth year when he pronounced his first oration against Philip of Macedon. That day — without office, without even call by the people, without waiting for the veteran haranguers and advisers of the city toward whom the assembly was looking to hear, when the sacrifices had been performed, and the herald had made proclamation — he went up to counsel his countrymen; and when he had concluded, he, the son of the sword manufacturer, — a young man, in the yet early flush and enthusiasm of public virtue, — had practically, without formal suffrage, elevated himself to the chief magistracy of Athens for all the future lifetime of Athenian freedom. He sprung up that day by one bound to this height so dazzling, and there he stood till the eye of Greece was closed for ever. As he came down from that stage on which Pericles had spoken to a former generation, not unconscious of the actual triumph, some feeling of the greater future in the instant, — a grave expectation on that stern, melancholy face, that the midnight studies in the cave by the sea had loosed the tongue of the stammerer; that the closed lips had been touched by fire, and the deep miraculous fountain of eloquence been

unsealed, — I can imagine him to say, “And these applauses I have won by no flattery of the people; no sophistries; no rhetoric; no counsels of self-indulgence; no siren song transforming to beasts! As I have won let me keep them. Be mine to avow that without regenerated Athens Greece already has her master. Be mine to open my country’s eye to the whole danger and the single remedy; to turn these States away from their idle fears of Persia and their senseless jealousy of each other, and fix their apprehensions on their true enemy, perhaps their destroyer, this soldier of Macedon. Be mine to persuade old men and rich men to give, and young men, spurning away the aid of mercenaries, themselves to strike for Greece by sea and land as in her heroic time. Be mine to lift up the heart of this Athens; to erect the spirit of this downward age; to reënthrone the sentiment of duty for its own sake, — the glory of effort, the glory of self-sacrifice and of suffering, to reënthrone these fading sentiments in the soul of my people, — or all is lost — is lost!”

And as these thoughts which embody his exact whole public life came on him, I can imagine him turning away from the applauses of an audience that had found by a sure instinct in that essay of an hour its mightiest orator in that young man, — turning the sight up from the Salamis and the busy city beneath, and pausing to stay his spirit by the cheerful and fair religions of the Acropolis, — that temple, that fortress, that gallery of the arts, — serene and steadfast as the floor of Olympus, — and then descending homewards to begin his great trust of guiding the public life of expiring Greece.

Turn to his next great day. Twelve years have passed, and the liberties of Greece have been cloven down at Chæronea for ever. Philip is dead, and the young Alexander is master. And now, in this hour of her humiliation, he who had advised and directed the long series of her unavailing warfare; to whose eloquence, to whose fond dream, to whose activity, to whose desperate fidelity incorrupt, she owed it, that she had fallen as became the mother of the men of Marathon,—he is arraigned for this whole public life, and rises before an audience gathered of all Greece—gathered of all the lettered world, to vindicate his title to the crown.

The youthful orator has grown to be a man of fifty-two. For him, for Greece, the future now is indeed a dream. Some possible chance, some god, some oracle, may give to strike another blow; but for the present all is over—is over! It is the glory or the shame of the past which is to be appreciated now. It is the dead for freedom for whom he is to give account. It is for a perished nation that he comes there and then to be judged. Others have laid down the trust of public life at the close of splendid successes. His administration saw liberty and the State expire. Others could point the nation they had been conducting to some land of promise beyond the river; to some new field and new age of greatness; “to future sons and daughters yet unborn,” and so challenge the farewell applauses of their time. He and his Athens had lost all things,—independence, national life, hope, all things but honor; and how should he answer, in that day, for his share in contributing to a calamity so accomplished? How he answered

all men know. In the noblest deliberative discourse ever uttered by mortal lips, there, in their presence who had seen his outgoings and incomings for his whole public life, who had known his purity, his wisdom, his civil courage; who had sympathized, had trembled, had kindled with all his emotions of a lifetime; in whose half-extinguished virtue he had lighted up the fire of a better age, he reviewed that grand and melancholy story; he gave them to see through that pictured retrospect how it had been appointed to them to act in the final extremity of Greece; what dignity, what responsibility, what tragic and pathetic interest, had belonged to their place and fortunes; how they had been singled out to strike the last blow for the noblest cause; and how gloriously they had been minded, without calculation of the chances of success or failure, to stand or fall in the passes of the dear mother land! All that Greece had in her of the historical past — all of letters, refinement, renowned grace and liberty — all was represented by you, and nobly have ye striven to defend it all! Grandly ye resolved; grandly ye have resisted; grandly have ye fallen!

That day he read his history in a nation's eyes. The still just, stricken heart of the people of Athens folded the orator-statesman to its love, and set on his head for ever the crown of gold!

One day more was wanting to that high tragic part, and how that was discharged Plutarch and Lucian have imagined strikingly. If it were a death self-inflicted, our moral judgments must deeply deplore and condemn. Some uncertainty attends the act; and, from the Grecian standpoint, we may admit its pathos and own its grandeur.



Sixteen years had now passed since the fatal battle of Chæronea,—eight since the pleading for the crown. He was now in the sixtieth year of his life. In that time the final struggle of Greece was attempted,—another attempt,—and all was over. In August, three hundred and twenty-two years before Christ, a decisive victory of the Macedonians had scattered the hasty levies of the Greeks,—the Macedonian conqueror came near to Athens; stationed a garrison of her conquerors above the harbor to command it; abolished the democratical constitution, and decreed the banishment of twelve thousand Athenian citizens. One thing more was wanting to attest that Athens, that Greece had completely perished at length—and that was the surrender of the orator to atone by death for the resistance which he had so long persuaded his countrymen to attempt against her ultimate destroyer. This surrender the conqueror demanded. He had no longer a country to protect him by arms. Could she do it by her gods? He withdrew to an island some miles from Athens, and there sought an asylum in the temple of Neptune. The exile hunter came with his Thracians to the door, and would have persuaded him to commit himself to what he called the clemency of the king of Macedon. I give the rest in a free translation from Lucian.

“I dread the clemency which you offer me,” he answered, “more than the torture and death for which I had been looking; for I cannot bear that it be reported that the king has corrupted me by the promise of life to desert the ranks of Greece, and stand in those of Macedon. Glorious and beautiful



I should have thought it, if that life could have been guarded by my country ; by the fleet ; by the walls which I have builded for her ; by the treasury I have filled ; by her constitution of popular liberty ; by her assemblies of freemen ; by her ancestral glory ; by the love of my countrymen who have crowned me so often ; by Greece which I have saved hitherto. But since this may not be, if it is thus that this island, this sea, this temple of Neptune, these altars, these sanctities of religion cannot keep me from the court of the king of Macedon, a spectacle, — a slave, — I, Demosthenes, whom nature never formed for disgrace, — I, who have drunk in from Xenophon, from Plato, the hope of immortality, — I, for the honor of Athens, prefer death to slavery, and wrap myself thus about with liberty, the fairest winding sheet ! ” And so he drew the poison from his ring, and smiled and bade the tyrant farewell, and died, snatched opportunely away by some god, his attendant reported, — great unconquered soul ; and the voice of Greece was hushed for ever.

Next for instruction and impressiveness to the revolution by which a nation dies, is that in which, preserving its life, it is compelled to exchange a constitution of freedom for the government of tyranny. And in this class the grandest, most bloody, memorable, and instructive in the history of man, is that by which republican Rome became the Rome of the Cæsars ; and senate, consul, knights, tribune, people, the occasional dictator, all were brought down on a wide equality of servitude before the emperor and the army. Of the aspect of such a revolution in eloquence, you have an illustration of extraordinary

interest and splendor in the instance of Cicero, that greatest name by far of the whole Roman mental and lettered culture, — the most consummate production of the Latin type of genius, — the one immortal voice of the Latin speech, by universal consent; teacher, consoler, benefactor of all ages, — in whom Augustine and Erasmus could find and love a kind of anticipated approximative Christianity. Turning from all he wrote, spoke, did, and suffered beside, all his other studies, all his other praise, fix your eye on him now, as the orator of the expiring liberty of the commonwealth.

He was murdered, in the sixty-fourth year of his life, by the triumvirate of soldiers, Augustus, Lepidus, and Mark Antony, who had just consummated the overthrow of that republic, extinguished the hopes the death of Julius Cæsar had excited, and were in the act to set up the frowning arch of the ranged empire. His death not only closed the prescription, as Antony said, but it did more; it closed and crowned, with a large, tragic interest, that most stupendous of revolutions, which, beginning years before, (he is a wise man who can tell you when it began), transformed at length republican Rome into the Rome of Augustus, of Tiberius, and passed the dominion of the world, from the senate and people of the one Eternal City, to an Emperor and his legions. With his life the light of freedom went out. Till that voice was hushed, the triumph of despotism seemed insecure; it was fit, her grandest themes and her diviner nourishment of liberty forbidden, that eloquence should die.

No great man's life had ever a grander close. The

stream of the revolution in which the republic was to perish had swept all Rome along, him with the rest, unsympathizing, resisting. It seemed to have consummated the downfall of the constitution when it made Julius Cæsar perpetual dictator. But he was slain by the conspirators in March of the forty-fourth year before Christ; and with this event, though he had not been of the conspiracy, the hopes of Cicero to stay the bloody and dark tide, and to reëstablish and reform the constitution of the republic, revived at once; and thenceforward, with scarcely the intermission of sleep, he gave himself to the last — they proved to be last — proud and sad offices of Roman liberty, until all such hopes were quenched in his blood. In that interval of not quite two years, I rejoice to say that no worshipper of the Cæsars of that day or this, no envier and sneerer at transcendent and prescriptive reputations, no laborious pedant judging of high souls by his own small one, and loving his own crochet better than the fame of the truly great departed, — no Appian, nor Dion Cassius, nor Dr. Hooke, nor Merivale, nor Drumann, — not one of them in those last two years pretends to find, by his microscope fitted into the end of his telescope, one spot on the sun going down. In all things and in all places of duty, by wise counsels given freely, by correspondence with the generals of the republic in arms, by personal intercourse with patriots at Rome, by universal activity and effective influence, by courage, by contempt of death, by eloquence, ringing sweeter and nobler in the senate-house and in the meetings of the people, each strain sweeter and nobler than the former till the last, — he shone

out, last and greatest of Romans. "For myself," he said, in one of the fourteen immortal discourses in the senate, "I make this profession. I defended the Commonwealth when I was young. I will not desert her now that I am old. I despised the swords of Catiline; shall I tremble at those of Antony? Nay, joyfully rather would I yield this frame to a bloody death, if so I might win back freedom to the State." That lofty profession he held fast—to the end. That death it was his to welcome! It could not give to Rome the freedom for which she was no longer fit; yet had he "the consolation, the joy, the triumph" not to survive it, and to leave an example, which is of the lessons of liberty and glory unblamed, to-day and for ever.

I know very well that there is a theory of history, and rather a taking theory too, which would bereave him, and all the other great names of the last ages of the republic, of their wreath, and set it on the brow of the first Cæsar and the second, of Julius Cæsar and Cæsar Augustus. There is a theory, that it was time the republic should end, and the empire begin. Liberty, they say, had failed splendidly. It had grown an obsolete idea. It was behind the age. In the long, fatal flow of that stream of development and necessity, which they say represents the history of man, the hour was reached in which it was fit that one despotic will and one standing army should rule the world. That hour, they tell you, Cicero ought to have recognized; that will he ought piously to have hailed in the person of Cæsar, and the person of Antony. And so he mistook the time; and died contending vainly and ungracefully with destiny, and

built his monument on sands over which, he should have seen, the tide of the ages was rising already.

But is not such a theory as this, in such an application of personal disparagement as this, about as poor, shallow, heartless, and arrogant a pedantry as any in the whole history of the follies of learning? This judgment of a man's actions, soul, genius, prudence, by the light of events that reveal themselves five hundred or one hundred years after he is in his grave, — how long has that been thought just? Because now we are able to see that the struggle of liberty against mailed despotism, — of the senate and people of Rome against the spirit of Cæsar in arms, say rather the spirit of the age, was unavailing, — shall we pronounce in our closets that a patriot-senator, a man made consul from the people according to the constitution, bred in the traditions, bathed in the spirit, proud of that high, Roman fashion, of freedom, was a child not to have foreseen it as well? Because he ought to have foreseen it, and did so, was it, therefore, not nobler to die for liberty than to survive her? Is *success* all at once to stand for the test of the excellency of dignity, and the excellency of honor? Be it, that to an intelligence that can take in the ages of time and eternity and the greatest good of a universe of being, the republic might seem to have fulfilled its office, and that it was better the empire should take its place, as the seed cannot quicken except it die: does it follow that we are to love and honor the unconscious human instruments of the dread change more than those who courageously withstood it, — Julius Cæsar, the atheist and traitor; Augustus, the hypocrite; Antony, the bloody and luxurious, who

conquered the constitution,—better than Cato or Catullus, or Brutus or Cicero, who stood round it in its last gasp? Because offences must come, shall not the moral judgments of men denounce the woe against him by whom they come? Easy is it, and tempting for the Merivales and Congreves (I am sorry to see De Quincey in such company) to say the senate and people of Rome were unfit to rule the world they had overrun; and, therefore, it was needful for an emperor and his guard and his legions to step in; easy and tempting is such a speculation, because nobody can disprove it, and it sounds of philosophy, seems to be new. But when they pursue it so far as to see no grandeur in the struggle of free-will with circumstance, and of virtue and conscience with force, and feel no sympathy with the resistance which patriotism desperately attempts against treason, I reject and hoot it incredulously.

How soothing and elevating to turn from such philosophy, falsely so called, to the grand and stirring music of that eloquence — those last fourteen pleadings of Cicero, which he who has not studied knows nothing of the orator, nothing of the patriot — in which the Roman liberty breathed its last. From that purer eloquence, from that nobler orator, the great trial of fire and blood through which the spirit of Rome was passing had burned and purged away all things light, all things gross; the purple robe, the superb attitude and action, the splendid commonplaces of a festal rhetoric, are all laid by; the ungraceful, occasional vanity of adulation, the elaborate speech of the abundant, happy mind, at its ease, all disappear; and, instead, what directness, what plain-

ness, what rapidity, what fire, what abnegation of himself, what disdain, what hate of the usurper and the usurpation, what grand, swelling sentiments, what fine raptures of liberty, roll and revel there. How there rise above and from out that impetuous torrent of speech, rushing fervidly, audibly, distinctly, between the peals of that thunder with which, like a guardian divinity, he seems to keep the senate-house, and the forum where the people assembled, unprofaned by the impending tyranny, — how there rise, here and there, those tones, so sweet, so mournful, boding and prophetic of the end. Almost you expect, — when the sublime expostulation is ended, and the fathers of the republic rise all together from their seats to answer the appeal by a shout in the spirit of the time of Tarquin the Proud, and the Second Punic War, and the ten thousand voices of the multitude are calling the orator to come out from the senate-house and speak to them in the forum, out of doors, to them, also, of the perils and the chances of their freedom, — almost you expect to hear, in the air, as above the temple of the doomed Jerusalem, the awful, distant cry, Let us go hence! let us go hence! The alternative of his own certain death, if the republic fell resisting, — what pathos, what dignity, what sincerity, what merit intrinsic, it gives to his brave counsels of resistance!

“Lay hold on this opportunity of our salvation, Conscript Fathers, — by the Immortal Gods I conjure you! — and remember that you are the foremost men here, in the council chamber of the whole earth. Give one sign to the Roman people that even as now they pledge their valor — so you pledge your wisdom



to the crisis of the State. But what need that I exhort you? Is there one so insensate as not to understand that if we sleep over an occasion such as this, it is ours to bow our necks to a tyranny not proud and cruel only, but ignominious,—but sinful? Do ye not know this Antony? Do ye not know his companions? Do ye not know his whole house,—insolent,—impure,—gamesters,—drunkards? To be slaves to such as he, to such as these, were it not the fullest measure of misery, conjoined with the fullest measure of disgrace? If it be so—may the gods avert the omen—that the supreme hour of the republic has come, let us, the rulers of the world, rather fall with honor, than serve with infamy! Born to glory and to liberty, let us hold these bright distinctions fast, or let us greatly die! Be it, Romans, our first resolve to strike down the tyrant and the tyranny. Be it our second to endure all things for the honor and liberty of our country. To submit to infamy for the love of life can never come within the contemplation of a Roman soul! For you, the people of Rome,—you whom the gods have appointed to rule the world,—for you to own a master is impious.

“You are in the last crisis of nations. To be free or to be slaves,—that is the question of the hour. By every obligation of man or States it behooves you in this extremity to conquer,—as your devotion to the gods and your concord among yourselves encourage you to hope,—or to bear all things but slavery. Other nations may bend to servitude; the birthright and the distinction of the people of Rome is liberty.”

Turn, now, to another form of revolution altogether.

Turn to a revolution in which a people, who were not yet a nation, became a nation, — one of the great, creative efforts of history, her rarest, her grandest, one of her marked and widely separated geological periods, in which she gathers up the formless and wandering elements of a preëxisting nature, and shapes them into a new world, over whose rising the morning stars might sing again. And these revolutions have an eloquence of their own, also ; but how unlike that other, — exultant, trustful, reasonable, courageous ! The cheerful and confident voice of young, giant strength rings through it, — the silver clarion of his hope that sounds to an awakening, to an onset, to a festival of glory, preparing ! preparing ! — his look of fire now fixed on the ground, now straining towards the distant goal ; his heart assured and high, yet throbbing with the heightened, irregular pulsations of a new consciousness, beating unwontedly, — the first, delicious, strange feeling of national life.

Twice within a century men have heard that eloquence. They heard it once when, in 1782, Ireland, in arms, had extorted — in part from the humiliation and necessities of England, in part from the justice of a new administration — the independence of her parliament and her judiciary,

“ That one lucid interval snatched from the gloom  
And the madness of ages, when filled with one soul,  
A nation o'erleaped the dark bounds of her doom,  
And for one sacred instant touched liberty's goal,” —

and Mr. Grattan, rising slowly in her House of Commons, said : “ I am now to address a free people ; ages have passed away, and this is the first moment

in which you could be distinguished by that appellation. I found Ireland on her knees; I watched over her with an eternal solicitude. I have traced her progress from injuries to arms, from arms to liberty. Spirit of Swift, spirit of Molyneux, your genius has prevailed! Ireland is now a nation. In that character, I hail her; and, bowing to her august presence, I say, Live Forever!"

Men heard that eloquence in 1776, in that manifold and mighty appeal by the genius and wisdom of that new America, to persuade the people to take on the name of nation, and begin its life. By how many pens and tongues that great pleading was conducted; through how many months, before the date of the actual Declaration, it went on, day after day; in how many forms, before how many assemblies, from the village newspaper, the more careful pamphlet, the private conversation, the town-meeting, the legislative bodies of particular colonies, up to the Hall of the immortal old Congress, and the master intelligences of lion heart and eagle eye, that ennobled it, — all this you know. But the leader in that great argument was John Adams, of Massachusetts. He, by concession of all men, was the orator of that revolution, — the revolution in which a nation was born. Other and renowned names, by written or spoken eloquence, coöperated effectively, splendidly, to the grand result, — Samuel Adams, Samuel Chase, Jefferson, Henry, James Otis in an earlier stage. Each of these, and a hundred more, within circles of influence wider or narrower, sent forth, scattering broadcast, the seed of life in the ready, virgin soil. Each brought some specialty of gift to the work: Jefferson, the

magic of style, and the habit and the power of delicious dalliance with those large, fair ideas of freedom and equality, so dear to man, so irresistible in that day; Henry, the indescribable and lost spell of the speech of the emotions, which fills the eye, chills the blood, turns the cheek pale, — the lyric phase of eloquence, the “fire-water,” as Lamartine has said, of the revolution, instilling into the sense and the soul the sweet madness of battle; Samuel Chase, the tones of anger, confidence, and pride, and the art to inspire them. John Adams’s eloquence alone seemed to have met every demand of the time; as a question of right, as a question of prudence, as a question of immediate opportunity, as a question of feeling, as a question of conscience, as a question of historical and durable and innocent glory, he knew it all, through and through; and in that mighty debate, which, beginning in Congress as far back as March or February, 1776, had its close on the second and on the fourth of July, he presented it in all its aspects, to every passion and affection, — to the burning sense of wrong, exasperated at length beyond control by the shedding of blood; to grief, anger, self-respect; to the desire of happiness and of safety; to the sense of moral obligation, commanding that the duties of life are more than life; to courage, which fears God, and knows no other fear; to the craving of the colonial heart, of all hearts, for the reality and the ideal of country, and which cannot be filled unless the dear native land comes to be breathed on by the grace, clad in the robes, armed with the thunders, admitted an equal to the assembly, of the nations; to that large and heroical ambition which would build States, that

imperial philanthropy which would open to liberty an asylum here, and give to the sick heart, hard fare, fettered conscience of the children of the Old World, healing, plenty, and freedom to worship God, — to these passions, and these ideas, he presented the appeal for months, day after day, until, on the third of July, 1776, he could record the result, writing thus to his wife: "Yesterday, the greatest question was decided which ever was debated in America; and a greater, perhaps, never was, nor will be, among men."

Of that series of spoken eloquence all is perished; not one reported sentence has come down to us. The voice through which the rising spirit of a young nation sounded out its dream of life is hushed. The great spokesman, of an age unto an age, is dead.

And yet of those lost words is not our whole America one immortal record and reporter? Do ye not read them, deep cut, defying the tooth of time, on all the marble of our greatness? How they blaze on the pillars of our Union! How is their deep sense unfolded and interpreted by every passing hour! how do they come to life, and grow audible, as it were, in the brightening rays of the light he foresaw, as the fabled invisible harp gave out its music to the morning!

Yes, in one sense, they are perished. No parchment manuscript, no embalming printed page, no certain traditions of living or dead, have kept them. Yet, from out, and from off, all things around us, — our laughing harvests, our songs of labor, our commerce on all the seas, our secure homes, our school-houses and churches, our happy people, our radiant

and stainless flag, — how they come pealing, pealing, Independence now, and Independence for ever!

And now, on a review of this series of the most eloquent of the eloquent, and of these opportunities of their renown, does our love deceive us, or have we not ourselves seen and heard, and followed mourning to the grave, one man, who, called to act in a time so troubled and high, would have enacted a part of equal splendor, and won a fame as historical? Our Webster — was there ever yet a cause to be pleaded to an assembly of men — on earth to which he would not have approved himself equal? Consider that he was cast on a quiet, civil age, an age, a land, of order, of law, of contentment, of art, of progress by natural growth, of beautiful and healthful material prosperity, resting on an achieved and stable freedom. We saw that ocean only in its calm. But what if the stern north-east had blown on that ocean, or the hurricane of the tropics had vexed its unsounded depths? That mighty reason, that sovereign brow and eye, that majestic port, that fountain of eloquent feeling, of passion, of imagination, — which seems to me to have been in him never completely opened, fathomless as a sea, and like that demanding the breaking up of the monsoon, or the attraction of those vast bodies the lights of the world, to give it to flow, rise, and ebb, — what triumph of eloquence the ages ever witnessed was beyond those marvellous faculties, in their utmost excitement, to achieve?

Assisted by that unequalled organ of speech, the Greek language of Demosthenes, might he not have rolled an equal thunder, and darted an equal flame? —

might he not have breathed virtue into the decay of Greece, and turned back for a space the inevitable hour?

The shaken pillars of the old constitution of Roman liberty, the old grand traditions dishonored, the dignity of the senate, the privilege of the people assailed, — would not their last great champion have acknowledged in him an ally worthy of the glorious, falling cause?

And when the transcendent question of our Independence was to be debated, was he not the very man to stand by Adams, and second the motion which has made the illustrious mover immortal? The rights of the colonies in point of law on their charters; the violations of these rights; the larger rights of man, — the right to liberty and the pursuit of happiness; the right — the conditions, the occasions, of the right — to the national life, — would not he, too, have set these to view transparent, exact, clear as a sunbeam? When reason has convinced, and conscience has instructed, would not that hand, too, have swept with as all-commanding power the chords of the greater passions, — grief, indignation, pride, hope, self-sacrifice, — whose music is at once the inspirer and the utterance of the sublimest moments of history, through which the first voices of the sense and the love of country are breathed?

And then, as the vision of independent America gleamed through the future, would he not already, with a soul as trustful, a trumpet-tone as confident, a voice of prophecy as sure as on that later, festal day, from the Rock of the Pilgrims, bid the distant generations hail? And yet, in that want of grandest

opportunities for the effort of his powers, had he large compensation, happier, nor less glorious, when he rose and shone and set on that unclouded sky, and on that wide, deep calm of moral nature, than in soaring, as he would have soared, on all its storms, and wielding, as he would have wielded, all its thunders.



## ADDRESS

DELIVERED IN SOUTH DANVERS, AT THE DEDICATION OF  
THE PEABODY INSTITUTE, SEPTEMBER 29, 1854.

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I ESTEEM it a great privilege to have been allowed to unite with my former townsmen, and the friends of so many years, — by whose seasonable kindness the earliest struggles of my professional life were observed and helped, — the friends of all its periods, — so I have found them, — to unite with you in the transaction for which we are assembled. In all respects it is one of rare interest. You have come together to express anew your appreciation of the character and the objects of the giver of this splendid charity, to repeat and republish your grateful acceptance of it, and to dedicate this commodious and beautiful structure to its faithful and permanent administration. You open to-day for Danvers — its inhabitants of this time, and all its successions — the Lyceum of knowledge and morality. Under this dedication it shall stand while Massachusetts shall stand. This edifice will crumble, certainly, to be replaced with another; this generation of the first recipients of the gift, — the excellent giver himself, — will soon pass away; but while our social and civil system shall endure; while law shall be administered; while the sentiments of justice, gratitude, and honor,

shall beat in one heart on your territory, the charity is immortal.

For every one among you it is set open equally. No fear that the religious opinions he holds sacred will be assailed, or the politics he cultivates insulted, will keep back any from his share of the diffusive good. Other places and other occasions you reserve for dissent and disputation, and struggle for mastery, and the sharp competitions of life. But here shall be peace and reconciliation. Within these walls, the knowledge and the morality, which are of no creed and no party; which are graceful and profitable for all alike, — of every creed and every party; which are true and real to every mind, as mind, and from the nature of mind, — and to every conscience, as conscience, and from the nature of conscience; and which are the same thing, therefore, in every brain and every heart, — this alone, — knowledge and morality, broad, free, as humanity itself, — is to be inculcated here.

Happy and privileged the community, beyond the measure of New England privilege even, for whom such high educational instrumentalities are thus munificently provided, and made perpetual! Happy especially, if they shall rouse themselves to improve them to their utmost capacity, — if they shall feel that they are summoned by a new motive, and by an obligation unfelt before, to an unaccustomed effort to appropriate to their hearts and their reason all the countless good which is hidden in knowledge and a right life, — an effort to become — more than before — wise, bright, thoughtful, ingenious, good; to attain to the highest degree of learning which is com-

patible with the practical system of things of which they are part; to feed the immortal, spiritual nature with an ampler and higher nutrition, enriching memory with new facts, judgment with sounder thoughts, taste with more beautiful images, the moral sense with more of all things whatsoever they are lovely, honest, and of good report, — the reality of virtue, the desert of praise.

Happy, almost, above all, the noble giver, whose heart is large enough to pay, of the abundance which crowns his life, — to pay out of his single means, — the whole debt this generation owes the future. I honor and love him, not merely that his energy, sense, and integrity have raised him from a poor boy — waiting in that shop yonder — to spread a table for the entertainment of princes, — not merely because the brilliant professional career which has given him a position so commanding in the mercantile and social circles of the commercial capital of the world has left him as completely American — the heart as wholly untravelled — as when he first stepped on the shore of England to seek his fortune, sighing to think that the ocean rolled between him and home; jealous of honor; wakeful to our interests; helping his country, not by swagger and vulgarity, but by recommending her credit; vindicating her title to be trusted on the exchange of nations; squandering himself in hospitalities to her citizens — a man of deeds, not of words, — not for these merely I love and honor him, but because his nature is affectionate and unsophisticated still; because his memory comes over so lovingly to this sweet Argos, to the schoolroom of his childhood, to the old shop and kind master, and the graves

of his father and mother ; and because he has had the sagacity, and the character to indulge these unextinguished affections in a gift, not of vanity and ostentation, but of supreme and durable utility.

I have found it quite incompatible with my engagements and health to methodize the thoughts which have crowded on my mind in the prospect of meeting you to-day, into any thing like elaborate or extended discourse ; but I have certainly wished, — instead of mere topics of congratulation ; or instead of diffusing myself exclusively on the easy and obvious commonplaces of the utility of knowledge, and the beauty of virtue ; or instead of the mere indulgence of those trains of memory and sensibility, to which the spectacle of old friends, and of the children and grandchildren of other friends, “whom my dim eyes in vain explore,” almost irrepressively impels me, — instead of this, to submit a practical suggestion or two in regard to the true modes of turning the Lyceum to its utmost account ; and, then, in regard to the motives you are under to do so. These suggestions I make diffidently ; and, therefore, I would not make them at all, but from the conviction that in your hands they may come to assume some little value.

I take it for granted that the declared wishes of Mr. Peabody will be considered as determining, quite peremptorily, the general mode of administering this fund. Better educational instrumentalities, indeed, no man’s wisdom, in the circumstances, could have devised. Courses of lectures, then, and a library of good books, these are to form the means of the Lyceum ; and the problem is, in what way can you make the most of them.

It may seem a little exaggerated at its first statement, and perhaps alarming, but it will serve at least to introduce my more particular ideas, to say that *the true view for you to take of this large provision of mental means, and of your relations to it, is to regard yourselves as having become by its bestowment permanently the members of an institution which undertakes to teach you by lectures and a library.* Herein exactly is the peculiarity of your new privilege. You are no longer, as heretofore it has been with you, merely to be indulged the opportunity of a few evenings in a year to listen, for the amusement of it, to half a dozen discourses of as many different speakers, on as many totally disconnected topics, treated possibly for ostentation, and adapted only to entertain, — but, however treated, and whatever fit for, totally forgotten in an hour; preceded, followed up, and assisted, by no preparation and no effort of the hearer; giving no direction whatever to his thoughts or readings; separated from each other, even while the lyceum season lasts, by a week of labor, devoted, even in its leisure moments, to trains of thought or snatches of reading wholly unauxiliar and irrelative, and for nine months or ten months of the year totally discontinued. Thanks to this munificence, you are come to the fruition of far other opportunities. An institution of learning, in the justest sense of the term, is provided for you. Lectures are to be delivered for you through a far larger portion of the year; a library, which will assuredly swell to thousands of volumes, is to be accumulated under your eye, from which you may derive the means of accompanying any lecturer on any subject from evening to evening; and this sys-

tem of provision is permanent, — henceforth part and parcel, through its corporate existence, of the civil identity and privilege of Danvers. You enter, therefore, to-day — you may enter — a new and important school; as durably such, as truly such, — having regard to differences of circumstantial details, — as the Seminary at Andover, or the Law School at Cambridge, or the College of Medicine at Philadelphia, — all of them schools, too, and all teaching by lectures and a library.

Setting out with this idea, let me say a word on the lectures of this school, — what they should be, and how they should be heard, assisted, and turned to account by those who hear them. And I submit to the trustees of the charity to reflect, whether a succession of such discourses as I have indicated, on disconnected topics, by different speakers, — however brilliant and able the individual performer may be, — will, in the long run, yield the good, or any approximation to the good, which would be derived from courses of lectures more or less extended, like the Lowell Lectures of Boston, each by a single person, devoted to the more exact and thorough treatment of a single important subject.

Consider that the diffusion of knowledge among you is the aim of the founder. The imparting of knowledge is the task which he sets his lecturer to do; and of knowledge in any proper sense, — knowledge within the legal meaning of this charity, — how much can he impart who comes once in a year, once in a lifetime, perhaps, before his audience, a stranger, addresses it an hour, and goes his way? He can teach little, if he tries; and the chances are infinite,

that to teach that little he will not try. The temptations and the tendencies of that system of exhibition are irresistible, to make him despair of conveying knowledge, and devote himself to producing effect; to select some topic mainly of emotional or imaginative capability; and even then to sacrifice the beauty which is in truth to the counterfeit presentment which mocks it in glitter, exaggeration, ingenuity, and intensity. If he would spend his hour in picking up and explaining a shell or pebble from the shore of the ocean of knowledge, it were something; but that seems unworthy of himself, and of the expectations which await him, and up he soars, or down he sinks, to rhetoric or bathos; and when his little part is best discharged, it is not much more than the lovely song of one who hath a pleasant voice, and can play well upon an instrument.

I do not say that such lectures are hurtful. I do not deny them a certain capacity of usefulness. I do not say they are not all which you should look for in our lyceums, as ordinarily they are constituted. They are all which, for the present, you will yourselves, perhaps, be able to provide. But to an endowed and durable foundation like this, they are totally inapplicable. They would be no more nor less, after you shall be completely organized, than a gross abuse of the charity, and violation of the will, of the giver. It is not merely that they would teach no knowledge, and would not assume to do it, and that the nature and laws of that kind of composition, and the conditions of its existence, totally exclude such a function. It goes further than that. The relations between teacher and pupil, under such a system,

never exist at all. The audience never think of coming before the lecturer to have the truths of the last lecture retouched, and new ones deduced or added; to have the difficulties, of which they have been thinking since they heard him before, resolved; to ask questions; to be advised what authors to read, or what experiments to undertake, on the subject he is illustrating. They carry no part of his sermon into the week with them; and he never knows or asks whether they do or not. In the nature of things, this all must be so. It is of the essential conception of knowledge, as the founder here uses the word, — knowledge as applicable to any thing, — that it includes many particulars of fact or idea, arranged by method, that is, arranged according to their true relations.

Whatever it be on which knowledge is to be imparted, — whether one of the phenomena of nature, as vegetable life, or insensible motion, or the periods of the stars; or some great aspect of humanity, as the history of a renowned age or event, pregnant of a stupendous future, or a marked man of the heroic and representative type; or one of the glorious productions of mind, as a constitution of free government, or a union of States into one nationality, a great literature, or even a great poem, — whatever it be, that which makes up the consummate knowledge of it is at once so much a unity and an infinity, — it unfolds itself into so many particulars, one deduced from another by series ever progressive, one modifying another, every one requiring to be known in order that any one may be exactly known, — that if you mean to teach it by lectures at all, you must substi-



tute a totally different system. *It must be done by courses continuously delivered, and frequently, by the same person, and having for their object to achieve the exact and exhaustive treatment of something, — some science, some art, some age, some transaction, that changed the face of fortune and history, — something worthy to be completely known.* He whom you call to labor on this foundation must understand that it is knowledge which is demanded of him. He must assure himself that he is to have his full time to impart it. He must come to the work, appreciating that he is not to be judged by the brilliancy or dullness of one passage, or one evening; but that he must stand or fall by the mass and aggregate of his teachings. He is to feel that he is an instructor, not the player of a part on a stage; that he is to teach truth, and not cut a rhetorical caper; enthusiastic in the pursuit, exact and veracious as a witness under oath in the announcement. I would have him able to say of the subject which he treats, what Cousin said of philosophy in the commencement of one of his celebrated courses, after a long interruption by the instability of the government of France: “Devoted entirely to it, after having had the honor to *suffer a little in its service*, I come to *consecrate to its illustration, unreservedly*, all that remains to me of strength and of life.”

And, now, how are you to hear such courses of lectures? Essentially by placing yourselves in the relation of pupils to the lecturer. For the whole period of his course, let the subject he teaches compose the study of the hours, or fragments of hours which you give to study at all. You would read something,

on some topic, every day, in all events. Let that reading, less or more, relate exclusively or mainly to the department of knowledge on which you go to hear him. If he knows his business, he will recommend all the best books pertaining to that department, and on these the first purchases for the Library will be quite likely in part to be expended. Attend the instructions of his lips by the instruction of the printed treatise. In this way only can you, by any possibility, avail yourselves at once of all that books and teachers can do. In this way only can you make one coöperate with the other. In this way only — in a larger view — can you rationally count on considerable and ever-increasing acquisitions of knowledge. Remember that your opportunities for such attainments in this school, after all, are to be few and brief. You and I are children of labor at last. The practical, importunate, ever-recurring duties of the calling to which we are assigned must have our best of life. What are your vacations, or mine, from work, for the still air of delightful studies? They are only divers infinitely minute particles of time, — half-hours before the morning or mid-day meal is quite ready, — days, now and then, not sick enough for the physician nor well enough for work, — a rainy afternoon, — the priceless evening, when the long task is done, — these snatches and interstitial spaces, — moments literal and fleet, — these are all the chances that we can borrow or create for the luxury of learning. How difficult it is to arrest these moments, to aggregate them, to till them, as it were, to make them day by day extend our knowledge, refine our tastes, accomplish our whole culture, to scatter in them the seed that

shall grow up, as Jeremy Taylor has said, "to crowns and sceptres" of a true wisdom,—how difficult is this we all appreciate. To turn them to any profit at all, we must religiously methodize them. Desultory reading and desultory reverie are to be for ever abandoned. A page in this book, and another in that,—ten minutes' thought or conversation on this subject, and the next ten on that,—this strenuous and specious idleness is not the way by which our intervals of labor are to open to us the portals of the crystal palace of truth. Such reading, too, and such thinking are an indulgence by which the mind loses its power,—by which curiosity becomes sated, *ennui* supervenes, and the love of learning itself is irrevocably lost. Therefore, I say, methodize your moments. Let your reading be systematic ever, so that every interval of rest shall have its book provided for it; and during the courses of your lectures, let those books treat the topics of the course.

Let me illustrate my meaning. You are attending, I will say, a course on astronomy, consisting of two lectures in a week, for two months. Why should you not regard yourselves for these two months as students of astronomy, so far as you can study any thing, or think of any thing, outside of your business; and why not determine to know nothing else; but to know as much of that as you can, for all that time? Consider what this would involve, and what it might accomplish. Suppose that you, by strenuous and persistent effort, hold that one subject fully in view for so long a period; that you do your utmost to turn your thoughts and conversation on it; that you write out the lecture, from notes or memory, as soon as it is

given, and reperuse and master it before you hear the next; that you read, not on other parts of the science, but on the very parts which the lecturer has arrived at and is discussing; that you devote an hour each evening to surveying the architecture of the heavens for yourselves, seeking to learn, not merely to indulge a vague and wandering sort of curiosity, or even a grand, but indistinct and general emotion, as if listening to imaginary music of spheres, but to aspire to the science of the stars, to fix their names, to group them in classes and constellations, to trace their paths, their reciprocal influence, their courses everlasting, — suppose that thus, and by voluntary continuous exertion, you concentrate on one great subject, for so considerable a period, all the moments of time and snatches of hasty reading and opportunities of thought that otherwise would have wasted themselves everywhere, and gone off by insensible evaporation, — do you not believe that it would tell decisively upon your mental culture and your positive attainments? Would not the effort of attention so prolonged and exclusive be a discipline itself inestimable? Would not the particulars of so much well-systematized reading and thought arrange themselves in your minds in the form of science, — harder to forget than to remember? and might you not hope to begin to feel the delicious sensations implied in growing consciously in the knowledge of truth?

I have taken for granted, in these thoughts on the best mode of administering the charity, that your own earnest purpose will be to turn it, by some mode, to its utmost account. The gratitude and alacrity with which you accepted the gift show quite well

how you appreciate the claims of knowledge and the dignity of mental culture, and what value you set upon this rare and remarkable appropriation to uses so lofty. I have no need, therefore, to exhort you to profit of these opportunities: but there are one or two views on which I have formerly reflected somewhat, and which I will briefly lay before you.

It is quite common to say, and much more common to think, without saying it aloud, that mental culture and learning, above the elements, may well claim a high place, as luxuries and indulgence, and even a grand utility, for those whose condition allows them a lifetime for such luxury and such indulgence, and the appropriation of such a good; but that for labor — properly so called — they can do little, even if labor could pause to acquire them. Not so has the founder of this charity reasoned; nor so will you. He would say, and so do I, — Seek for mental power, and the utmost practicable love and measure of knowledge, exactly because they will do so much for labor; first, to inform and direct its exertions; secondly, to refine and adorn it, and disengage it from too absolute an immersion in matter, and bring it into relation to the region of ideas and spirituality and abstraction; and, thirdly, to soothe its fatigues and relieve its burdens and compose its discontent.

True is it, of all our power, eminence, and consideration, as of our existence, that the condition is labor. Our lot is labor. There is no reversal of the doom of man for us. But is that a reason why we should not aspire to the love and attainment of learning, and to the bettering of the mind? For that very reason we should do so. Does not the industry of a people

at last rest upon and embody the intellect of the people? Is not its industry as its intellect?

I say, then, forasmuch as we are children of labor, cultivate mental power. Pointing the friends of humanity, and of America, to this charity, I say to them, go and do likewise. Diffuse mental power. Give it to more than have it now. Give it in a higher degree. Give it in earlier life. Think how stupendous, yet how practicable it were to make, by an improved popular culture, the entire laborious masses of New England more ingenious, more inventive, more prudent than now they are. How much were effected, — how much for power; how much for enjoyment; how much for a true glory, — by this accession to the quality of its mind. It would show itself in half a century in every acre of her surface. In the time it would save, in the strength it would impart, in the waste it would prevent, in the more sedulous husbandry of all the gifts of God, in richer soils, created or opened; in the great coöperating forces of nature — air, water, steam, fertility — yoked in completer obedience to the car of labor; in the multiplicity of useful inventions, those unfailing exponents, as well as promoters, of popular mental activity and reach; in the aggregate of production, swelled, diversified, enriched; in the reflux wave of wealth, subsiding here and there in reservoirs, in lakes, in springs perennial, but spread, too, everywhere in rills and streamlets, and falling in the descent of dew and the dropping of the cloud, — in these things you would see the peaceful triumphs of an improved mind. Nor in these alone, or chiefly. More beautiful far, and more precious, would they

beam abroad in the elevation of the standard of comfortable life; in the heightened sense of individual responsibility and respectability, and a completer individual development; in happier homes; in better appreciation of the sacredness of property, and the sovereignty of justice in the form of law; in more time found and better prized, when the tasks of the day were all well done, — more time found and better prized for the higher necessities of the intellect and soul.

I have not time to dwell now on the second reason, by which I suggested that labor should be persuaded to seek knowledge, though it would well deserve a fuller handling. You find that reason in the tendency of culture and learning to refine the work-day life, and adorn it; to disengage it from the contacts of matter, and elevate it to the sphere of ideas and abstraction and spirituality; to withdraw, as Dr. Johnson has said, — “to withdraw us from the power of our senses; to make the past, the distant, or the future predominate over the present, and thus to advance us in the dignity of thinking beings.” Surely we need not add a self-inflicted curse to that which punished the fall. To earn our bread in the sweat of our brow is ordained to us certainly; but not, therefore, to forget in whose image we were made, nor to suffer all beams of the original brightness to go out. Who has doomed us, or any of us, to labor so exclusive and austere, that only half, the lower half, of our nature can survive it? The unrest of avarice, or ambition, or vanity, may do it; but no necessity of our being, and no appointment of its author. Shall we, of our own election, abase our-

selves? Do you feel that the mere tasks of daily labor ever employ the whole man? Have you not a conscious nature, other and beside that which tills the earth, drives the plane, squares the stone, creates the fabric of art, — a nature intellectual, spiritual, moral, capacious of science, capacious of truth beyond the sphere of sense, with large discourse of reason, looking before and after, and taking hold on that within the veil?

What forbids that this nature shall have its daily bread also day by day? What forbids that it have time to nourish its sympathy with all kindred human blood, by studying the grand facts of universal history; to learn to look beyond the chaotic flux and reflux of mere appearances, which are the outside of the world around it, into their scientific relations and essential quality; to soar from effects to causes, and through causes to the first; to begin to recognize and to love, here and now, in waning moon or star of evening, or song of solemn bird, or fall of water, or "self-born carol of infancy," or transcendent landscape, or glorious self-sacrifice — to begin to recognize and love in these that beauty here which shall be its dwelling-place and its vesture in the life to come; to accustom itself to discern, in all vicissitudes of things, the changed and falling leaf, the golden harvest, the angry sigh of November's wind, the storm of snow, the temporary death of nature, the opening of the chambers of the South, and the unresting round of seasons — to discern not merely the sublime circle of eternal change, but the unfailing law, flowing from the infinite Mind, and the "varied God" — filling and moving, and in all things, yet personal and apart! What forbids it to cultivate and confirm



**"The glorious habit by which sense is made  
Subservient still to moral purposes,  
Auxiliar to divine" ?**

**What forbids that it grow**

**"Accustomed to desires that feed  
On fruitage gathered from the Tree of Life" ?**

I do not say that every man, even in a condition of competence, can exemplify this nobler culture and this rarer knowledge. But I will say that the exactions of labor do not hinder it. Recall a familiar, though splendid and remarkable instance or two.

Burns reaped as much and as well as the duller companion by his side, and meantime was conceiving an immortal song of Scotland ; and Hugh Miller was just as painstaking a stone-mason and as good a workman as if he had not so husbanded his spare half-hours and moments as to become, while an apprentice and journeyman, a profound geologist and master of a clear and charming English style. But how much more a man was the poet and the geologist ; how far fuller the consciousness of being ; how much larger the daily draught of that admiration, hope, and love, which are the life and voice of souls !

I come to add the final reason why the working man, by whom I mean the whole brotherhood of industry, should set on mental culture and that knowledge which is wisdom a value so high — only not supreme — subordinate alone to the exercises and hopes of religion itself. And that is, that therein he shall so surely find rest from labor ; succor under its burdens ; forgetfulness of its cares, composure in its annoyances. It is not always that the busy day

is followed by the peaceful night. It is not always that fatigue wins sleep. Often some vexation outside of the toil that has exhausted the frame, some loss in a bargain, some loss by an insolvency, some unforeseen rise or fall of prices, some triumph of a mean or fraudulent competitor,

“The oppressor’s wrong, the proud man’s contumely,  
The pangs of despised love, the law’s delay,  
The insolence of office, and the spurns  
That patient merit of the unworthy takes,”

some self-reproach, perhaps, follow you within the door, chill the fireside, sow the pillow with thorns, and the dark care is last in the last waking thought, and haunts the vivid dream. Happy, then, is he who has laid up in youth, and held fast in all fortune, a genuine and passionate love of reading. True balm of hurt minds ; of surer and more healthful charm than “poppy or mandragora, or all the drowsy syrups of the world,” by that single taste, — by that single capacity, he may bound in a moment into the still region of delightful studies, and be at rest. He recalls the annoyance that pursues him ; reflects that he has done all that might become a man to avoid or bear it ; he indulges in one good, long, human sigh, picks up the volume where the mark kept his place, and in about the same time that it takes the Mahometan in the Spectator to put his head in the bucket of water, and raise it out, he finds himself exploring the arrow-marked ruins of Nineveh with Layard ; or worshipping at the spring-head of the stupendous Missouri, with Clark and Lewis ; or watching with Columbus for the sublime moment of the rising of the curtain from before the great mystery of the sea ; or looking

reverentially on while Socrates — the discourse of immortality ended — refuses the offer of escape, and takes in his hand the poison, to die in obedience to the unrighteous sentence of the law ; or, perhaps, it is in the contemplation of some vast spectacle or phenomenon of nature that he has found his quick peace — the renewed exploration of one of her great laws — or some glimpse opened by the pencil of St. Pierre, or Humboldt, or Chateaubriand, or Wilson, of the “blessedness and glory of her own deep, calm, and mighty existence.”

Let the case of a busy lawyer testify to the priceless value of the love of reading. He comes home, his temples throbbing, his nerves shattered, from a trial of a week ; surprised and alarmed by the charge of the judge, and pale with anxiety about the verdict of the next morning, not at all satisfied with what he has done himself, though he does not yet see how he could have improved it ; recalling with dread and self-disparagement, if not with envy, the brilliant effort of his antagonist, and tormenting himself with the vain wish that he could have replied to it — and altogether a very miserable subject, and in as unfavorable a condition to accept comfort from wife and children as poor Christian in the first three pages of the *Pilgrim's Progress*. With a superhuman effort he opens his book, and in the twinkling of an eye he is looking into the full “orb of Homeric or Miltonic song,” or he stands in the crowd — breathless, yet swayed as forests or the sea by winds — hearing and to judge the Pleadings for the Crown ; or the philosophy which soothed Cicero or Boethius in their afflictions, in exile, prison, and the contemplation of death,

breathes over his petty cares like the sweet south ; or Pope or Horace laughs him into good humor ; or he walks with Æneas and the Sibyl in the mild light of the world of the laurelled dead ; and the court-house is as completely forgotten as the dreams of a pre-adamite life. Well may he prize that endeared charm, so effectual and safe, without which the brain had long ago been chilled by paralysis, or set on fire of insanity !

To these uses and these enjoyments, to mental culture and knowledge and morality, the guide, the grace, the solace of labor on all his fields, we dedicate this charity ! May it bless you in all your successions ! and may the admirable giver survive to see that the debt which he recognizes to the future is completely discharged ; survive to enjoy in the gratitude and love and honor of this generation, the honor and love and gratitude with which the latest will assuredly cherish his name, and partake and transmit his benefaction !

## REMARKS BEFORE THE CIRCUIT COURT ON THE DEATH OF MR. WEBSTER.

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[Mr. Webster died on Sunday morning, October 24, 1852. The members of the Suffolk Bar met on Monday morning, and appointed a committee to report a series of resolutions. These were read and adopted at an adjourned meeting, Thursday, October 28th, and immediately presented to the Circuit Court of the United States for the District of Massachusetts, CURTIS and SPRAGUE, Justices on the Bench. They were read by the Hon. George S. Hillard, after which Mr. Choate made the following remarks:]

MAY IT PLEASE YOUR HONORS :—

I HAVE been requested by the members of the Bar of this Court to add a few words to the resolutions just read, in which they have embodied, as they were able, their sorrow for the death of their beloved and illustrious member and countryman, Mr. Webster ; their estimation of his character, life, and genius ; their sense of the bereavement, — to the country as to his friends, — incapable of repair ; the pride, the fondness, — the filial and the patriotic pride and fondness, — with which they cherish, and would consign to history to cherish, the memory of a great and good man.

And yet I could earnestly have desired to be excused from this duty. He must have known Mr. Webster less, and loved him less, than your honors

or than I have known and loved him, who can quite yet, — quite yet, — before we can comprehend that we have lost him for ever, — before the first paleness with which the news of his death overspread our cheeks has passed away, — before we have been down to lay him in the Pilgrim soil he loved so well, till the heavens be no more, — he must have known and loved him less than we have done, who can come here quite yet, to recount the series of his service, to display with psychological exactness the traits of his nature and mind, to ponder and speculate on the secrets — on the marvellous secrets — and source of that vast power, which we shall see no more in action, nor aught in any degree resembling it, among men. These first moments should be given to grief. It may employ, it may promote a calmer mood, to construct a more elaborate and less unworthy memorial.

For the purposes of this moment and place, indeed, no more is needed. What is there for this Court or for this Bar to learn from me, here and now, of him? The year and the day of his birth; that birthplace on the frontier, yet bleak and waste; the well, of which his childhood drank, dug by that father of whom he has said, “that through the fire and blood of seven years of revolutionary war he shrank from no danger, no toil, no sacrifice, to serve his country, and to raise his children to a condition better than his own;” the elm-tree that father planted, fallen now, as father and son have fallen; that training of the giant infancy on catechism and Bible, and Watts’s version of the Psalms, and the traditions of Plymouth, and Fort William Henry, and the Revolution, and the age of

Washington and Franklin, on the banks of the Merrimack, flowing sometimes in flood and anger, from his secret springs in the crystal hills ; the two district schoolmasters, Chase and Tappan ; the village library ; the dawning of the love and ambition of letters ; the few months at Exeter and Boscawen ; the life of college ; the probationary season of school-teaching ; the clerkship in the Fryeburg Registry of Deeds ; his admission to the bar, presided over by judges like Smith, illustrated by practisers such as Mason, where, by the studies, in the contentions of nine years, he laid the foundation of the professional mind ; his irresistible attraction to public life ; the oration on commerce ; the Rockingham resolutions ; his first term of four years' service in Congress, when, by one bound, he sprang to his place by the side of the foremost of the rising American statesmen ; his removal to this State ; and then the double and parallel current in which his life, studies, thoughts, cares, have since flowed, bearing him to the leadership of the Bar by universal acclaim, bearing him to the leadership of public life, — last of that surpassing triumvirate, shall we say the greatest, the most widely known and admired ? — all these things, to their minutest details, are known and rehearsed familiarly. Happier than the younger Pliny, happier than Cicero, he has found his historian, unsolicited, in his lifetime, and his countrymen have him all by heart !

There is, then, nothing to tell you, — nothing to bring to mind. And then, if I may borrow the language of one of his historians and friends, — one of those through whose beautiful pathos the common

sorrow uttered itself yesterday, in Faneuil Hall, — “I dare not come here and dismiss in a few summary paragraphs the character of one who has filled such a space in the history, one who holds such a place in the heart, of his country. It would be a disrespectful familiarity to a man of his lofty spirit, his great soul, his rich endowments, his long and honorable life, to endeavor thus to weigh and estimate them,” — a half-hour of words, a handful of earth, for fifty years of great deeds, on high places!

But, although the time does not require any thing elaborated and adequate, — forbids it, rather, — some broken sentences of veneration and love may be indulged to the sorrow which oppresses us.

There presents itself, on the first and to any observation of Mr. Webster's life and character, a twofold eminence, — eminence of the very highest rank, — in a twofold field of intellectual and public display, — the profession of the law and the profession of statesmanship, — of which it would not be easy to recall any parallel in the biography of illustrious men.

Without seeking for parallels, and without asserting that they do not exist, consider that he was, by universal designation, the leader of the general American Bar; and that he was, also, by an equally universal designation, foremost of her statesmen living at his death; inferior to not one who has lived and acted since the opening of his own public life. Look at these aspects of his greatness separately, and from opposite sides of the surpassing elevation. Consider that his single career at the bar may seem to have been enough to employ the largest faculties, without repose, for a lifetime; and that, if then and thus the “*infinitus*



*forensium rerum labor* " should have conducted him to a mere professional reward, — a bench of chancery or law, the crown of the first of advocates, *jurisperitorum eloquentissimus*, — to the pure and mere honors of a great magistrate, — that that would be as much as is allotted to the ablest in the distribution of fame. Even that half, if I may say so, of his illustrious reputation, — how long the labor to win it, how worthy of all that labor! He was bred first in the severest school of the common law, in which its doctrines were expounded by Smith, and its administration shaped and directed by Mason, and its foundation principles, its historical sources and illustrations, its connection with the parallel series of statutory enactments, its modes of reasoning, and the evidence of its truths, he grasped easily and completely; and I have myself heard him say, that for many years while still at the bar, he tried more causes, and argued more questions of fact to the jury than perhaps any other member of the profession anywhere. I have heard from others how, even then, he exemplified the same direct, clear, and forcible exhibition of proofs, and the reasonings appropriate to proofs, as well as the same marvellous power of discerning instantly what we call the decisive points of the cause in law and fact, by which he was later more widely celebrated. This was the first epoch in his professional training.

With the commencement of his public life, or with his later removal to this State, began the second epoch of his professional training, conducting him through the gradation of the national tribunals to the study and practice of the more flexible, elegant, and scientific jurisprudence of commerce and of chancery,

and to the grander and less fettered investigations of international, prize, and constitutional law, and giving him to breathe the air of a more famous forum, in a more public presence, with more variety of competition, although he never met abler men, as I have heard him say, than some of those who initiated him in the rugged discipline of the Courts of New Hampshire; and thus, at length, by these studies, these labors, this contention, continued without repose, he came, now many years ago, to stand *omnium assensu* at the summit of the American Bar.

It is common and it is easy, in the case of all in such position, to point out other lawyers, here and there, as possessing some special qualification or attainment more remarkably; perhaps, because more exclusively, — to say of one that he has more cases in his recollection at any given moment, or that he was earlier grounded in equity, or has gathered more black letter or civil law, or knowledge of Spanish or of Western titles, — and these comparisons were sometimes made with him. But when you sought a counsel of the first rate for the great cause, who would most surely discern and most powerfully expound the exact law, required by the controversy, in season for use; who could most skilfully encounter the opposing law; under whose powers of analysis, persuasion, and display, the asserted right would assume the most probable aspect before the intelligence of the judge; who, if the inquiry became blended with or resolved into facts, could most completely develop and most irresistibly expose them; one “the law’s whole thunder born to wield,” — when you sought such a counsel, and could have the choice, I

think the universal profession would have turned to him. And this would be so in nearly every description of cause, in any department. Some able men wield civil inquiries with a peculiar ability; some criminal. How lucidly and how deeply he elucidated a question of property, you all know. But then, with what address, feeling, pathos, and prudence he defended, with what dignity and crushing power, *accusatorio spiritu*, he prosecuted the accused of crime, whom he believed to have been guilty, few have seen; but none who have seen can ever forget it.

Some scenes there are, some Alpine eminences rising above the high table-land of such a professional life, to which, in the briefest tribute, we should love to follow him. We recall that day, for an instance, when he first announced, with decisive display, what manner of man he was, to the Supreme Court of the nation. It was in 1818, and it was in the argument of the case of Dartmouth College. William Pinkney was recruiting his great faculties, and replenishing that reservoir of professional and elegant acquisition, in Europe. Samuel Dexter, "the honorable man, and the counsellor, and the eloquent orator," was in his grave. The boundless old-school learning of Luther Martin; the silver voice and infinite analytical ingenuity and resources of Jones; the fervid genius of Emmett pouring itself along *immenso ore*; the ripe and beautiful culture of Wirt and Hopkinson, — the steel point, unseen, not unfelt, beneath the foliage; Harper himself, statesman as well as lawyer, — these, and such as these, were left of that noble bar. That day Mr. Webster opened the cause of Dartmouth

College to a tribunal unsurpassed on earth in all that gives illustration to a bench of law, (not one of whom any longer survives.)

One would love to linger on the scene, when, after a masterly argument of the law, carrying, as we may now know, conviction to the general mind of the court, and vindicating and settling for his lifetime his place in that forum, he paused to enter, with an altered feeling, tone, and manner, with these words, on his peroration: "I have brought my *Alma Mater* to this presence, that, if she must fall, she may fall in her robes and with dignity;" and then broke forth in that strain of sublime and pathetic eloquence, of which we know not much more than that, in its progress, Marshall, — the intellectual, the self-controlled, the unemotional, — announced, visibly, the presence of the unaccustomed enchantment.

Other forensic triumphs crowd on us, in other competition, with other issues. But I must commit them to the historian of constitutional jurisprudence.

And now, if this transcendent professional reputation were all of Mr. Webster, it might be practicable, though not easy, to find its parallel elsewhere, in our own, or in European or classical biography.

But, when you consider that, side by side with this, there was growing up that other reputation, — that of the first American statesman; that, for thirty-three years, and those embracing his most Herculean works at the bar, he was engaged as a member of either House, or in the highest of the executive departments, in the conduct of the largest national affairs, in the treatment of the largest national questions, in debate with the highest abilities of American public

life, conducting diplomatic intercourse in delicate relations with all manner of foreign powers, investigating whole classes of truths, totally unlike the truths of the law, and resting on principles totally distinct, — and that here, too, he was wise, safe, controlling, trusted, the foremost man; that Europe had come to see in his life a guaranty for justice, for peace, for the best hopes of civilization, and America to feel surer of her glory and her safety as his great arm enfolded her, — you see how rare, how solitary, almost, was the actual greatness! Who, anywhere, has won, as he had, the double fame, and worn the double wreath of Murray and Chatham, of Dunning and Fox, of Erskine and Pitt, of William Pinkney and Rufus King, in one blended and transcendent superiority?

I cannot attempt to grasp and sum up the aggregate of the service of his public life at such a moment as this; and it is needless. That life comprised a term of more than thirty-three years. It produced a body of performance, of which I may say, generally, it was all which the first abilities of the country and time, employed with unexampled toil, stimulated by the noblest patriotism, in the highest places of the State, in the fear of God, in the presence of nations, could possibly compass.

He came into Congress after the war of 1812 had begun, and though probably deeming it unnecessary, according to the highest standards of public necessity, in his private character, and objecting, in his public character, to some of the details of the policy by which it was prosecuted, and standing by party ties in general opposition to the administration, he never breathed a sentiment calculated to depress the tone of the pub-

lic mind, to aid or comfort the enemy, to check or chill the stirrings of that new, passionate, unquenchable spirit of nationality, which then was revealed, or kindled to burn till we go down to the tombs of States.

With the peace of 1815 his more cherished public labors began; and thenceforward he devoted himself—the ardor of his civil youth, the energies of his maturest manhood, the autumnal wisdom of the ripened year—to the offices of legislation and diplomacy; of preserving the peace, keeping the honor, establishing the boundaries, and vindicating the neutral rights of his country; restoring a sound currency, and laying its foundation sure and deep; in upholding public credit; in promoting foreign commerce and domestic industry; in developing our uncounted material resources,—giving the lake and the river to trade,—and vindicating and interpreting the constitution and the law. On all these subjects,—on all measures practically in any degree affecting them,—he has inscribed his opinions and left the traces of his hand. Everywhere the philosophical and patriot statesman and thinker will find that he has been before him, lighting the way, sounding the abyss. His weighty language, his sagacious warnings, his great maxims of empire, will be raised to view, and live to be deciphered when the final catastrophe shall lift the granite foundation in fragments from its bed.

In this connection I cannot but remark to how extraordinary an extent had Mr. Webster, by his acts, words, thoughts, or the events of his life, associated himself for ever in the memory of all of us with every historical incident, or, at least, with every historical

epoch, with every policy, with every glory, with every great name and fundamental institution, and grand or beautiful image, which are peculiarly and properly American. Look backwards to the planting of Plymouth and Jamestown; to the various scenes of colonial life in peace and war; to the opening and march and close of the revolutionary drama; to the age of the constitution; to Washington and Franklin and Adams and Jefferson; to the whole train of causes, from the Reformation downwards, which prepared us to be republicans; to that other train of causes which led us to be unionists,—look round on field, workshop, and deck, and hear the music of labor rewarded, fed, and protected; look on the bright sisterhood of the States, each singing as a seraph in her motion, yet blending in a common harmony,—and there is nothing which does not bring him by some tie to the memory of America. We seem to see his form and hear his deep, grave speech everywhere. By some felicity of his personal life; by some wise, deep, or beautiful word, spoken or written; by some service of his own, or some commemoration of the services of others, it has come to pass that “our granite hills, our inland seas, and prairies, and fresh, unbounded, magnificent wilderness,” our encircling ocean, the Rock of the Pilgrims, our new-born sister of the Pacific, our popular assemblies, our free schools, all our cherished doctrines of education, and of the influence of religion, and material policy, and the law, and the constitution, give us back his name. What American landscape will you look on, what subject of American interest will you study, what source of hope or of anxiety, as an American, will you acknowledge, that does not recall him!

I shall not venture, in this rapid and general recollection of Mr. Webster, to attempt to analyze that intellectual power which all admit to have been so extraordinary, or to compare or contrast it with the mental greatness of others, in variety or degree, of the living or the dead; or even to attempt to appreciate, exactly, and in reference to canons of art, his single attribute of eloquence. Consider, however, the remarkable phenomenon of excellence in three unkindred, one might have thought, incompatible forms of public speech, — that of the forum, with its double audience of bench and jury, of the halls of legislation, and of the most thronged and tumultuous assemblies of the people.

Consider, further, that this multiform eloquence, exactly as his words fell, became at once so much accession to permanent literature, in the strictest sense, solid, attractive, and rich, and ask how often in the history of public life such a thing has been exemplified. Recall what pervaded all these forms of display, and every effort in every form, — that union of naked intellect, in its largest measure, which penetrates to the exact truth of the matter in hand, by intuition or by inference, and discerns every thing which may make it intelligible, probable, or credible to another, with an emotional and moral nature profound, passionate, and ready to kindle, and with an imagination enough to supply a hundred-fold more of illustration and aggrandizement than his taste suffered him to accept; that union of greatness of soul with depth of heart, which made his speaking almost more an exhibition of character than of mere genius; the style, not merely pure, clear Saxon, but so constructed,



so numerous as far as becomes prose, so forcible, so abounding in unlabored felicities; the words so choice; the epithet so pictured; the matter absolute truth, or the most exact and specious resemblance the human wit can devise; the treatment of the subject, if you have regard to the kind of truth he had to handle, — political, ethical, legal, — as deep, as complete as Paley's, or Locke's, or Butler's, or Alexander Hamilton's, of their subjects; yet that depth and that completeness of sense, made transparent as through crystal waters, all embodied in harmonious or well-composed periods, raised on winged language, vivified, fused, and poured along in a tide of emotion, fervid, and incapable to be withstood; recall the form, the eye, the brow, the tone of voice, the presence of the intellectual king of men, — recall him thus, and, in the language of Mr. Justice Story, commemorating Samuel Dexter, we may well "rejoice that we have lived in the same age, that we have listened to his eloquence, and been instructed by his wisdom."

I cannot leave the subject of his eloquence without returning to a thought I have advanced already. All that he has left, or the larger portion of all, is the record of spoken words. His works, as already collected, extend to many volumes, — a library of reason and eloquence, as Gibbon has said of Cicero's, — but they are volumes of speeches only, or mainly; and yet who does not rank him as a great American author? an author as truly expounding, and as characteristically exemplifying, in a pure, genuine, and harmonious English style, the mind, thought, point of view of objects, and essential nationality of his country as any other of our authors, professedly so de-

nominated? Against the maxim of Mr. Fox, his speeches read well, and yet were good speeches — great speeches — in the delivery. For so grave were they, so thoughtful and true, so much the eloquence of reason at last, so strikingly always they contrived to link the immediate topic with other and broader principles, ascending easily to widest generalizations, so happy was the reconciliation of the qualities which engage the attention of hearers, yet reward the perusal of students, so critically did they keep the right side of the line which parts eloquence from rhetoric, and so far do they rise above the penury of mere debate, that the general reason of the country has enshrined them at once, and for ever, among our classics.

It is a common belief that Mr. Webster was a various reader; and I think it is true, even to a greater degree than has been believed. In his profession of politics, nothing, I think, worthy of attention had escaped him; nothing of the ancient or modern prudence; nothing which Greek or Roman or European speculation in that walk had explored, or Greek or Roman or European or universal history or public biography exemplified. I shall not soon forget with what admiration he spake, at an interview to which he admitted me, while in the Law School at Cambridge, of the politics and ethics of Aristotle, and of the mighty mind which, as he said, seemed to have "thought through" so many of the great problems which form the discipline of social man. American history and American political literature he had by heart, — the long series of influences which trained us for representative and free government; ~~that~~ other series of influences which moulded

us into a united government; the colonial era; the age of controversy before the revolution; every scene and every person in that great tragic action; every question which has successively engaged our politics, and every name which has figured in them, — the whole stream of our time was open, clear, and present ever to his eye.

Beyond his profession of politics, so to call it, he had been a diligent and choice reader, as his extraordinary style in part reveals; and I think the love of reading would have gone with him to a later and riper age, if to such an age it had been the will of God to preserve him. This is no place or time to appreciate this branch of his acquisitions; but there is an interest inexpressible in knowing who were any of the chosen from among the great dead in the library of such a man. Others may correct me, but I should say of that interior and narrower circle were Cicero, Virgil, Shakspeare, — whom he knew familiarly as the constitution, — Bacon, Milton, Burke, Johnson, — to whom I hope it is not pedantic nor fanciful to say, I often thought his nature presented some resemblance; the same abundance of the general propositions required for explaining a difficulty and refuting a sophism copiously and promptly occurring to him; the same kindness of heart and wealth of sensibility, under a manner, of course, more courteous and gracious, yet more sovereign; the same sufficient, yet not predominant, imagination, stooping ever to truth, and giving affluence, vivacity, and attraction to a powerful, correct, and weighty style of prose.

I cannot leave this life and character without selecting and dwelling a moment on one or two of his

traits, or virtues, or felicities, a little longer. There is a collective impression made by the whole of an eminent person's life, beyond and other than, and apart from, that which the mere general biographer would afford the means of explaining. There is an influence of a great man derived from things indescribable, almost, or incapable of enumeration, or singly insufficient to account for it, but through which his spirit transpires, and his individuality goes forth on the contemporary generation. And thus, I should say, one grand tendency of his life and character was to elevate the whole tone of the public mind. He did this, indeed, not merely by example. He did it by dealing, as he thought, truly and in manly fashion with that public mind. He evinced his love of the people, not so much by honeyed phrases as by good counsels and useful service, *vera pro gratis*. He showed how he appreciated them by submitting sound arguments to their understandings, and right motives to their free will. He came before them, less with flattery than with instruction ; less with a vocabulary larded with the words humanity and philanthropy, and progress and brotherhood, than with a scheme of politics, an educational, social, and governmental system, which would have made them prosperous, happy, and great.

What the greatest of the Greek historians said of Pericles, we all feel might be said of him : " He did not so much follow as lead the people, because he framed not his words to please them, like one who is gaining power by unworthy means, but was able and dared, on the strength of his high character, even to brave their anger by contradicting their will."

I should indicate it as another influence of his life, acts, and opinions, that it was, in an extraordinary degree, uniformly and liberally conservative. He saw with vision as of a prophet, that if our system of united government can be maintained till a nationality shall be generated, of due intensity and due comprehension, a glory indeed millennial, a progress without end, a triumph of humanity hitherto unseen, were ours; and, therefore, he addressed himself to maintain that united government.

Standing on the Rock of Plymouth, he bade distant generations hail, and saw them rising, "demanding life, impatient for the skies," from what then were "fresh, unbounded, magnificent wildernesses;" from the shore of the great, tranquil sea, not yet become ours. But observe to what he welcomes them; by what he would bless them. "It is to good government." It is to "treasures of science and delights of learning." It is to the "sweets of domestic life, the immeasurable good of rational existence, the immortal hopes of Christianity, the light of everlasting truth."

It will be happy, if the wisdom and temper of his administration of our foreign affairs shall preside in the time which is at hand. Sobered, instructed by the examples and warnings of all the past, he yet gathered from the study and comparison of all the eras that there is a silent progress of the race, — without pause, without haste, without return, — to which the counsellings of history are to be accommodated by a wise philosophy. More than, or as much as that of any of our public characters, his statesmanship was one which recognized a Europe, an old

world, but yet grasped the capital idea of the American position, and deduced from it the whole fashion and color of its policy; which discerned that we are to play a high part in human affairs, but discerned, also, what part it is, — peculiar, distant, distinct, and grand as our hemisphere; an influence, not a contact, — the stage, the drama, the catastrophe, all but the audience, all our own, — and if ever he felt himself at a loss, he consulted, reverently, the genius of Washington.

In bringing these memories to a conclusion, — for I omit many things because I dare not trust myself to speak of them, — I shall not be misunderstood, or give offence, if I hope that one other trait in his public character, one doctrine, rather, of his political creed, may be remembered and be appreciated. It is one of the two fundamental precepts in which Plato, as expounded by the great master of Latin eloquence and reason and morals, comprehends the duty of those who share in the conduct of the state, — “*ut quæcunque agunt, TOTUM corpus reipublicæ curent, nedum partem aliquam tuentur, reliquas deserant;*” that they comprise in their care the whole body of the Republic, nor keep one part and desert another. He gives the reason, — one reason, — of the precept, “*qui autem parti civium consulunt, partem negligunt, rem perniciosissimam in civitatem inducunt, seditionem atque discordiam.*” The patriotism which embraces less than the whole induces sedition and discord, the last evil of the State.

How profoundly he had comprehended this truth; with what persistency, with what passion, from the first hour he became a public man to the last beat of the great heart, he cherished it; how little he ac-

counted the good, the praise, the blame of this locality or that, in comparison of the larger good and the general and thoughtful approval of his own, and our, whole America, — she this day feels and announces. Wheresoever a drop of her blood flows in the veins of men, this trait is felt and appreciated. The hunter beyond Superior; the fisherman on the deck of the nigh night-foundered skiff; the sailor on the uttermost sea, — will feel, as he hears these tidings, that the protection of a sleepless, all-embracing, parental care is withdrawn from him for a space, and that his pathway henceforward is more solitary and less safe than before.

But I cannot pursue these thoughts. Among the eulogists who have just uttered the eloquent sorrow of England at the death of the great Duke, one has employed an image and an idea which I venture to modify and appropriate.

“The Northmen’s image of death is finer than that of other climes; no skeleton, but a gigantic figure that envelops men within the massive folds of its dark garment.” Webster seems so enshrouded from us, as the last of the mighty three, themselves following a mighty series, — the greatest closing the procession. The robe draws round him, and the era is past.

Yet how much there is which that all-ample fold shall not hide, — the recorded wisdom, the great example, the assured immortality.

They speak of monuments!

“Nothing can cover his high fame but heaven;  
No pyramids set off his memories  
But the eternal substance of his greatness;  
To which I leave him.”

A DISCOURSE COMMEMORATIVE OF  
DANIEL WEBSTER.

DELIVERED BEFORE THE FACULTY, STUDENTS, AND ALUMNI  
OF DARTMOUTH COLLEGE, JULY 27, 1853.

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It would be a strange neglect of a beautiful and approved custom of the schools of learning, and of one of the most pious and appropriate of the offices of literature, if the college in which the intellectual life of Daniel Webster began, and to which his name imparts charm and illustration, should give no formal expression to her grief in the common sorrow ; if she should not draw near, of the most sad, in the procession of the bereaved, to the tomb at the sea, nor find, in all her classic shades, one affectionate and grateful leaf to set in the garland with which they have bound the brow of her child, the mightiest departed. Others mourn and praise him by his more distant and more general titles to fame and remembrance ; his supremacy of intellect, his statesmanship of so many years, his eloquence of reason and of the heart, his love of country, incorruptible, conscientious, and ruling every hour and act ; that greatness combined of genius, of character, of manner, of place, of achievement, which was just now among us, and is not, and yet lives still and evermore. You come, his cherishing mother, to own a closer tie, to indulge an emotion



more personal and more fond, — grief and exultation contending for mastery, as in the bosom of the desolated parent, whose tears could not hinder him from exclaiming, “ I would not exchange my dead son for any living one of Christendom.”

Many places in our American world have spoken his eulogy. To all places the service was befitting, for “ his renown, is it not of the treasures of the whole country ? ” To some it belonged, with a strong local propriety, to discharge it. In the halls of Congress, where the majestic form seems ever to stand, and the deep tones to linger, the decorated scene of his larger labors and most diffusive glory ; in the courts of law, to whose gladsome light he loved to return, — putting on again the robes of that profession ancient as magistracy, noble as virtue, necessary as justice, — in which he found the beginning of his honors ; in Faneuil Hall, whose air breathes and burns of him ; in the commercial cities, to whose pursuits his diplomacy secured a peaceful sea ; in the cities of the inland, around which his capacious public affections, and wise discernment, aimed ever to develop the uncounted resources of that other, and that larger, and that newer America ; in the pulpit, whose place among the higher influences which exalt a State, our guide in life, our consolation in death, he appreciated profoundly, and vindicated by weightiest argument and testimony, of whose offices it is among the fittest to mark and point the moral of the great things of the world, the excellency of dignity, and the excellency of power passing away as the pride of the wave, — passing from our eye to take on immortality, — in these places, and such as these, there seemed a

reason beyond, and other, than the universal calamity, for such honors of the grave. But if so, how fit a place is this for such a service! We are among the scenes where the youth of Webster awoke first and fully to the life of the mind. We stand, as it were, at the sources—physical, social, moral, intellectual—of that exceeding greatness. Some now here saw that youth; almost it was yours, *Nilum parvum videre*. Some, one of his instructors certainly, some possibly of his classmates, or nearest college friends, some of the books he read, some of the apartments in which he studied, are here. We can almost call up from their habitation in the past, or in the fancy, the whole spiritual circle which environed that time of his life; the opinions he had embraced; the theories of mind, of religion, of morals, of philosophy, to which he had surrendered himself; the canons of taste and criticism which he had accepted; the great authors whom he loved best; the trophies which began to disturb his sleep; the facts of history which he had learned, believed, and begun to interpret; the shapes of hope and fear in which imagination began to bring before him the good and evil of the future. Still the same outward world is around you, and above you. The sweet and solemn flow of the river, gleaming through interval here and there; margins and samples of the same old woods, but thinned and retiring; the same range of green hills yonder, tolerant of culture to the top, but shaded then by primeval forests, on whose crest the last rays of sunset lingered; the summit of Ascutney; the great northern light that never sets; the constellations that walk around, and watch the pole; the same nature, undecayed, unchanging, is

here. Almost, the idolatries of the old paganism grow intelligible. "*Magnorum fluminum capita veneramur,*" exclaims Seneca. "*Subita et ex abrupto vasti amnis eruptio aras habet!*" We stand at the fountain of a stream; we stand, rather, at the place where a stream, sudden, and from hidden springs, bursts to light; and whence we can follow it along and down, as we might our own Connecticut, and trace its resplendent pathway to the sea; and we venerate, and would almost build altars here. If I may adopt the lofty language of one of the admirers of William Pitt, we come naturally to this place, as if we could thus recall every circumstance of splendid preparation which contributed to fit the great man for the scene of his glory. We come, as if better here than elsewhere "we could watch, fold by fold, the bracing on of his Vulcanian panoply, and observe with pleased anxiety the leading forth of that chariot which, borne on irresistible wheels, and drawn by steeds of immortal race, is to crush the necks of the mighty, and sweep away the serried strength of armies."

And, therefore, it were fitter that I should ask of you, than speak to you, concerning him. Little, indeed, anywhere can be added now to that wealth of eulogy that has been heaped upon his tomb. Before he died, even, renowned in two hemispheres, in ours he seemed to be known with a universal nearness of knowledge. He walked so long and so conspicuously before the general eye; his actions, his opinions, on all things which had been large enough to agitate the public mind for the last thirty years and more, had had importance and consequences so remarkable, — anx-

iously waited for, passionately canvassed, not adopted always into the particular measure, or deciding the particular vote of government or the country, yet sinking deep into the reason of the people, — a stream of influence whose fruits it is yet too soon for political philosophy to appreciate completely; an impression of his extraordinary intellectual endowments, and of their peculiar superiority in that most imposing and intelligible of all forms of manifestation, the moving of others' minds by speech, — this impression had grown so universal and fixed, and it had kindled curiosity to hear him and read him so wide and so largely indulged; his individuality altogether was so absolute and so pronounced, the force of will no less than the power of genius; the exact type and fashion of his mind, not less than its general magnitude, were so distinctly shown through his musical and transparent style; the exterior of the man, the grand mystery of brow and eye, the deep tones, the solemnity, the sovereignty, as of those who would build States, where every power and every grace did seem to set its seal, had been made, by personal observation, by description, by the exaggeration, even, of those who had felt the spell, by art, the daguerrotype and picture and statue, so familiar to the American eye, graven on the memory like the Washington of Stuart; the narrative of the mere incidents of his life had been so often told, — by some so authentically and with such skill, — and had been so literally committed to heart, that when he died there seemed to be little left but to say when and how his change came; with what dignity, with what possession of himself, with what loving thought for others, with

what gratitude to God, uttered with unfaltering voice, that it was appointed to him there to die; to say how thus, leaning on the rod and staff of the promise, he took his way into the great darkness undismayed, till death should be swallowed up of life; and then to relate how they laid him in that simple grave, and turning and pausing, and joining their voices to the voices of the sea, bade him hail and farewell.

And yet I hardly know what there is in public biography, what there is in literature, to be compared, in its kind, with the variety and beauty and adequacy of the series of discourses through which the love and grief, and deliberate and reasoning admiration of America for this great man, have been uttered. Little, indeed, there would be for me to say, if I were capable of the light ambition of proposing to omit all which others have said on this theme before, — little to add, if I sought to say any thing wholly new.

I have thought, — perhaps the place where I was to speak suggested the topic, — that before we approach the ultimate and historical greatness of Mr. Webster in its two chief departments, and attempt to appreciate by what qualities of genius and character and what succession of action he attained it, there might be an interest in going back of all this, so to say, and pausing a few moments upon his youth. I include in that designation the period from his birth, on the eighteenth day of January, 1782, until 1805, when, twenty-three years of age, he declined the clerkship of his father's court, and dedicated himself irrevocably to the profession of the law and the

chances of a summons to less or more of public life. These twenty-three years we shall call the youth of Webster. Its incidents are few and well known, and need not long detain us.

Until May, 1796, beyond the close of his fourteenth year, he lived at home, attending the schools of Masters Chase and Tappan, successively; at work sometimes, and sometimes at play like any boy; but finding already, as few beside him did, the stimulations and the food of intellectual life in the social library; drinking in, unawares, from the moral and physical aspects about him, the lesson and the power of contention and self-trust; and learning how much grander than the forest bending to the long storm; or the silver and cherishing Merrimack swollen to inundation, and turning, as love become madness, to ravage the subject interval; or old woods sullenly retiring before axe and fire,—learning to feel how much grander than these was the coming in of civilization as there he saw it, courage, labor, patience, plain living, heroical acting, high thinking, beautiful feeling, the fear of God, love of country and neighborhood and family, and all that form of human life of which his father and mother and sisters and brother were the endeared exemplification. In the arms of that circle, on parent knees, or later, in intervals of work or play, the future American Statesman acquired the idea of country, and became conscious of a national tie and a national life. There and then, something, glimpses, a little of the romance, the sweet and bitter memories of a soldier and borderer of the old colonial time and war, opened to the large dark eyes of the child; memories of French and Indians stealing up

to the very place where the story was telling; of men shot down at the plough, within sight of the old log house; of the massacre at Fort William Henry; of Stark, of Howe, of Wolfe falling in the arms of victory; and then of the next age, its grander scenes and higher names, — of the father's part at Bennington and White Plains; of Lafayette and Washington; and then of the Constitution, just adopted, and the first President, just inaugurated, with services of public thanksgiving to Almighty God, and the Union just sprung into life, all radiant as morning, harbinger and promise of a brighter day. You have heard how in that season he bought and first read the Constitution on the cotton handkerchief. A small cannon, I think his biographers say, was the ominous plaything of Napoleon's childhood. But this incident reminds us rather of the youthful Luther, astonished and kindling over the first Latin Bible he ever saw, — or the still younger Pascal, permitted to look into the Euclid, to whose sublimities an irresistible nature had secretly attracted him. Long before his fourteenth year, the mother first, and then the father, and the teachers and the schools and the little neighborhood, had discovered an extraordinary hope in the boy; a purpose, a dream, not yet confessed, of giving him an education began to be cherished; and in May, 1796, at the age of a little more than fourteen, he was sent to Exeter. I have myself heard a gentleman, long a leader of the Essex bar, and eminent in public life, now no more, who was then a pupil at the school, describe his large frame, superb face, immature manners, and rustic dress, surmounted with a student's gown, when first he came; and say, too, how soon and

universally his capacity was owned. Who does not wish that the glorious Buckminster could have foreseen and witnessed the whole greatness, but certainly the renown of eloquence, which was to come to the young stranger, whom, choking, speechless, the great fountain of feelings sealed as yet, he tried in vain to encourage to declaim before the unconscious, bright tribes of the school? The influences of Exeter on him were excellent, but his stay was brief. In the winter of 1796 he was at home again; and in February, 1797, he was placed under the private tuition, and in the family, of Rev. Mr. Wood, of Boscawen. It was on the way with his father to the house of Mr. Wood that he first heard, with astonishment, that the parental love and good sense had resolved on the sacrifice of giving him an education at college. "I remember," he writes, "the very hill we were ascending, through deep snows, in a New England sleigh, when my father made his purpose known to me. I could not speak. How could he, I thought, with so large a family, and in such narrow circumstances, think of incurring so great an expense for me? A warm glow ran all over me, and I laid my head on my father's shoulder and wept." That speechlessness, that glow, those tears, reveal to us what his memory and consciousness could hardly do to him, that already, somewhere, at some hour of day or evening or night, as he read some page, or heard some narrative, or saw some happier schoolfellow set off from Exeter to begin his college life, the love of intellectual enjoyment, the ambition of intellectual supremacy, had taken hold of him; that, when or how he knew not, but before he was aware of it, the hope of obtaining



a liberal education and leading a professional life had come to be his last thought before he slept, his first when he awoke, and to shape his dreams. Behold in them, too, his whole future. That day, that hour, that very moment, from the deep snows of that slow hill he set out on the long ascent that bore him — “no step backward” — to the high places of the world! He remained under the tuition of Mr. Wood until August, 1796, and then entered this college, where he was, at the end of the full term of four years, graduated in 1801. Of that college life you can tell me more than I can tell you. It is the universal evidence that it was distinguished by exemplary demeanor, by reverence for religion, respect for instructors, and observance of law. We hear from all sources, too, that it was distinguished by assiduous and various studies. With the exception of one or two branches, for which his imperfect preparation had failed to excite a taste, he is reported to have addressed himself to the prescribed tasks, and to have availed himself of the whole body of means of liberal culture appointed by the government, with decorum and conscientiousness and zeal. We hear more than this. The whole course of traditions concerning his college life is full to prove two facts. The first is, that his reading — general and various far beyond the requirements of the Faculty, or the average capacity of that stage of the literary life — was not solid and useful merely, — which is vague commendation, — but it was such as predicted and educated the future statesman. In English literature, — its finer parts, its poetry and tasteful reading, I mean, — he had read much rather than many things; but he had read

somewhat. That a young man of his emotional nature, — full of eloquent feeling, the germs of a fine taste, the ear for the music of words, the eye for all beauty and all sublimity, already in extraordinary measure his, — already practising the art of composition, speech, and criticism, — should have recreated himself — as we know he did — with Shakspeare and Pope and Addison ; with the great romance of Defoe ; with the more recent biographies of Johnson, and his grand imitations of Juvenal ; with the sweet and refined simplicity and abstracted observation of Goldsmith, mingled with sketches of homefelt delight ; with the “Elegy” of Gray, whose solemn touches soothed the thoughts or tested the consciousness of the last hour ; with the vigorous originality of the then recent Cowper, whom he quoted when he came home, as it proved, to die, — this we should have expected. But I have heard, and believe, that it was to another institution more austere and characteristic, that his own mind was irresistibly and instinctively even then attracted. The conduct of what Locke calls the human understanding ; the limits of human knowledge ; the means of coming to the knowledge of the different classes of truth ; the laws of thought ; the science of proofs which is logic ; the science of morals ; the facts of history ; the spirit of laws ; the conduct and aims of reasonings in politics, — these were the strong meat that announced and began to train the great political thinker and reasoner of a later day.

I have heard that he might oftener be found in some solitary seat or walk, with a volume of Gordon’s or Ramsay’s Revolution, or of the “Federalist,” or of

Hume's "History of England," or of his "Essays," or of Grotius, or Puffendorf, or Cicero, or Montesquieu, or Locke, or Burke, than with Virgil, or Shakspeare, or the "Spectator." Of the history of opinions, in the department of philosophy, he was already a curious student. The oration he delivered before the United Fraternity, when he was graduated, treated that topic of opinion, under some aspects, — as I recollect from once reading the manuscript, — with copiousness, judgment, and enthusiasm; and some of his ridicule of the Berkleian theory of the non-existence of matter, I well remember, anticipated the sarcasm of a later day on a currency all-metallic, and on nullification as a strictly constitutional remedy.

The other fact, as well established by all we can gather of his life in college, is, that the faculty, so transcendent afterwards, of moving the minds of men by speech, was already developed and effective in a remarkable degree. Always there is a best writer or speaker or two in college; but this stereotyped designation seems wholly inadequate to convey the impression he made in his time. Many, now alive, have said that some of his performances, having regard to his youth, his objects, his topics, his audience, — one on the celebration of Independence, one a eulogy on a student much beloved, — produced an instant effect, and left a recollection to which nothing else could be compared; which could be felt and admitted only, not explained; but which now they know were the first sweet tones of inexplicable but delightful influence of that voice, unconfirmed as yet, and unassured, whose more consummate expression charmed and sus-

pended the soul of a nation. To read these essays now, disappoints you somewhat. As Quintilian says of Hortensius, *Apparet placuisse aliquid eo dicente quod legentes non invenimus*. Some spell there was in the spoken word which the reader misses. To find the secret of that spell, you must recall the youth of Webster. Beloved fondly, and appreciated by that circle as much as by any audience, larger, more exacting, more various, and more fit, which afterwards he found anywhere; known to be manly, just, pure, generous, affectionate; known and felt by his strong will, his high aims, his commanding character, his uncommon and difficult studies; he had every heart's warmest good wish with him when he rose; and then, when, unchecked by any very severe theory of taste, unoppressed by any dread of saying something incompatible with his place and fame, or unequal to himself, he just unlocked the deep spring of that eloquent feeling, which, in connection with his power of mere intellect, was such a stupendous psychological mystery, and gave heart and soul, not to the conduct of an argument, or the investigation and display of a truth of the reason, but to a fervid, beautiful, and prolonged emotion, to grief, to eulogy, to the patriotism of scholars,—why need we doubt or wonder, as they looked on that presiding brow, the eye large, sad, unworldly, incapable to be fathomed, the lip and chin, whose firmness as of chiselled, perfect marble, profoundest sensibility alone caused ever to tremble, why wonder at the traditions of the charm which they owned, and the fame which they even then predicted?

His college life closed in 1801. For the statement

that he had thought of selecting the profession of theology, the surviving members of his family, his son and his brother-in-law, assure me that there is no foundation. Certainly, he began at once the study of the law, and, interrupted only by the necessity of teaching an academy a few months, with which he united the recreation of recording deeds, he prosecuted it at Salisbury in the office of Mr. Thompson, and at Boston in the office of Mr. Gore, until March, 1805, when, resisting the sharp temptation of a clerkship, and an annual salary of fifteen hundred dollars, he was admitted to the bar.

And so he has put on the robe of manhood, and has come to do the work of life. Of his youth there is no need to say more. It had been pure, happy, strenuous; in many things privileged. The influence of home, of his father, and the excellent mother, and that noble brother, whom he loved so dearly, and mourned with such sorrow, — these influences on his heart, principles, will, aims, were elevated and strong. At an early age, comparatively, the then great distinction of liberal education was his. His college life was brilliant and without a stain; and in moving his admission to the bar, Mr. Gore presented him as one of extraordinary promise.

“ With prospects bright, upon the world he came, —  
Pure love of virtue, strong desire of fame;  
Men watched the way his lofty mind would take,  
And all foretold the progress he would make.”

And yet, if on some day, as that season was drawing to its close, it had been foretold to him, that before his life, prolonged to little more than threescore years and ten, should end, he should see that country, in

which he was coming to act his part, expanded across a continent ; the thirteen States of 1801 multiplied to thirty-one ; the territory of the North-west and the great valley below sown full of those stars of empire ; the Mississippi forded, and the Sabine and Rio Grande, and the Neuces ; the ponderous gates of the Rocky Mountains opened to shut no more ; the great tranquil sea become our sea ; her area seven times larger, her people five times more in number ; that through all experiences of trial, the madness of party, the injustice of foreign powers, the vast enlargement of her borders, the antagonisms of interior interest and feeling, — the spirit of nationality would grow stronger still and more plastic ; that the tide of American feeling would run ever fuller ; that her agriculture would grow more scientific ; her arts more various and instructed, and better rewarded ; her commerce winged to a wider and still wider flight ; that the part she would play in human affairs would grow nobler ever, and more recognized ; that in this vast growth of national greatness time would be found for the higher necessities of the soul ; that her popular and her higher education would go on advancing ; that her charities and all her enterprises of philanthropy would go on enlarging ; that her age of lettered glory should find its auspicious dawn, — and then it had been also foretold him that even so, with her growth and strength, should his fame grow and be established and cherished, there where she should garner up her heart ; that by long gradations of service and labor he should rise to be, before he should taste of death, of the peerless among her great ones ; that he should win the double honor, and wear the

double wreath of professional and public supremacy ; that he should become her wisest to counsel and her most eloquent to persuade ; that he should come to be called the Defender of the Constitution and the preserver of honorable peace ; that the " austere glory of suffering " to save the Union should be his ; that his death, at the summit of greatness, on the verge of a ripe and venerable age, should be distinguished, less by the flags at half-mast on ocean and lake, less by the minute-gun, less by the public procession and the appointed eulogy, than by sudden paleness overspreading all faces, by gushing tears, by sorrow, thoughtful, boding, silent, the sense of desolateness, as if renown and grace were dead, — as if the hunter's path, and the sailor's, in the great solitude of wilderness or sea, henceforward were more lonely and less safe than before, — had this prediction been whispered, how calmly had that perfect sobriety of mind put it all aside as a pernicious or idle dream ! Yet, in the fulfilment of that prediction is told the remaining story of his life.

It does not come within the plan which I have marked out for this discourse to repeat the incidents of that subsequent history. The more conspicuous are known to you and the whole American world. Minuter details the time does not permit, nor the occasion require. Some quite general views of what he became and achieved ; some attempt to appreciate that intellectual power, and force of will, and elaborate culture, and that power of eloquence, so splendid and remarkable, by which he wrought his work ; some tribute to the endearing and noble parts of his character ; and some attempt to vindicate the political

morality by which his public life was guided, even to its last great act, are all that I propose, and much more than I can hope worthily to accomplish.

In coming, then, to consider what he became and achieved, I have always thought it was not easy to lay too much stress, in the first place, on that realization of what might have been regarded incompatible forms of superiority, and that exemplification of what might have been regarded incompatible gifts or acquirements — “rare in their separate excellence, wonderful in their special combination” — which meet us in him everywhere. Remark, first, that eminence — rare, if not unprecedented — of the first rate, in the two substantially distinct and unkindred professions, — that of the law, and that of public life. In surveying that ultimate and finished greatness in which he stands before you in his full stature and at his best, this double and blended eminence is the first thing that fixes the eye, and the last. When he died he was first of American lawyers, and first of American statesmen. In both characters he continued — discharging the foremost part in each — down to the falling of the awful curtain. Both characters he kept distinct, — the habits of mind, the forms of reasoning, the nature of the proofs, the style of eloquence. Neither hurt nor changed the other. How much his understanding was “quickenened and invigorated” by the law, I have often heard him acknowledge and explain. But how, in spite of the law, was that mind, by other felicity, and other culture, “opened and liberalized” also! How few of what are called the bad intellectual habits of the bar he carried into the duties of statesmanship! His inter-



pretations of the constitution and of treaties ; his expositions of public law, — how little do you find in them, where, if anywhere, you would expect it, of the mere ingenuity, the moving of “vermiculate questions,” the word-catching, the scholastic subtlety which, in the phrase of his memorable quotation,

“Can sever and divide

A hair ’twixt north and north-west side,” —

ascribed by satire to the profession ; and how much of its truer function, and nobler power of calling, history, language, the moral sentiments, reason, common sense, the high spirit of magnanimous nationality, to the search of truth ! How little do we find in his politics of another bad habit of the profession, the worst “idol of the cave,” a morbid, unreasoning, and regretful passion for the past, that bends and weeps over the stream, running irreversibly, because it will not return, and will not pause, and gives back to vanity every hour a changed and less beautiful face ! We ascribe to him certainly a sober and conservative habit of mind, and such he had. Such a habit the study and practice of the law doubtless does not impair. But his was my Lord Bacon’s conservatism. He held with him, “that antiquity deserveth this reverence, that men should make a stand thereupon, and discover what is the best way ; but when the discovery is well taken, then to make progression.” He would keep the Union according to the Constitution, not as a relic, a memorial, a tradition, — not for what it has done, though that kindled his gratitude and excited his admiration, but for what it is now and hereafter to do, when adapted by a wise practical philosophy to a wider and higher area, to larger num-

hers, to severer and more glorious probation. Who better than he has grasped and displayed the advancing tendencies and enlarging duties of America? Who has caught—whose eloquence, whose genius, whose counsels, have caught more adequately the genuine inspiration of our destiny? Who has better expounded by what moral and prudential policy, by what improved culture of heart and reason, by what true worship of God, by what good faith to all other nations, the dangers of that destiny may be disarmed, and its large promise laid hold on?

And while the lawyer did not hurt the statesman, the statesman did not hurt the lawyer. More; the statesman did not modify, did not unrobe, did not tinge, the lawyer. It would not be to him that the epigram could have application, where the old Latin satirist makes the client complain that his lawsuit is concerning *tres capellæ*,—three kids; and that his advocate, with large disdain of them, is haranguing with loud voice and both hands, about the slaughters of Cannæ, the war of Mithridates, the perjuries of Hannibal. I could never detect that in his discussions of law he did not just as much recognize authority, just as anxiously seek for adjudications old and new in his favor, just as closely sift them and collate them, that he might bring them to his side if he could, or leave them ambiguous and harmless if he could not; that he did not just as rigorously observe the peculiar mode which that science employs in passing from the known to the unknown, the peculiar logic of the law, as if he had never investigated any other than legal truth by any other organon than legal logic in his life. Peculiarities of legal reason-

ing he certainly had, belonging to the peculiar structure and vast power of his mind; more original thought, more discourse of principles, less of that mere subtlety of analysis which is not restrained by good sense, and the higher power of duly tempering and combining one truth in a practical science with other truths, from absurdity or mischief; but still it was all strict and exact legal reasoning. The long habit of employing the more popular methods, the probable and plausible conjectures, the approximations, the compromises of deliberative discussion, did not seem to have left the least trace on his vocabulary, or his reasonings, or his demeanor. No doubt, as a part of his whole culture, it helped to give enlargement and general power and elevation of mind; but the sweet stream passed under the bitter sea, the bitter sea pressed on the sweet stream, and each flowed unmingled, unchanged in taste or color.

I have said that this double eminence is rare, if not unprecedented. We do no justice to Mr. Webster, if we do not keep this ever in mind. How many exemplifications of it do you find in British public life? The Earl of Chatham, Burke, Fox, Sheridan, Windham, Pitt, Grattan, Canning, Peel, — were they also, or any one, the acknowledged leader in Westminster Hall or on the circuit? And, on the other hand, would you say that the mere parliamentary career of Mansfield, or Thurlow, or Dunning, or Erskine, or Camden, or Curran, would compare in duration, constancy, variety of effort, the range of topics discussed, the fulness, extent, and affluence of the discussion, the influence exerted, the space filled, the senatorial character completely realized — with his? In our

own public life it is easier to find a parallel. Great names crowd on us in each department; greater, or more loved, or more venerable, no annals can show. But how few even here have gathered the double wreath and the blended fame!

And now, having observed the fact of this combination of quality and excellence scarcely compatible, inspect for a moment each by itself.

The professional life of Mr. Webster began in the spring of 1805. It may not be said to have ended until he died; but I do not know that it happened to him to appear in court, for the trial of a cause, after his argument of the Goodyear patent for improvements in the preparation of India-rubber, in Trenton, in March, 1852.

There I saw, and last heard him. The thirty-four years which had elapsed since, a member of this College, at home for health, I first saw and heard him in the Supreme Court of Massachusetts, in the county of Essex, defending Jackman, accused of the robbery of Goodrich, had in almost all things changed him. The raven hair, the vigorous, full frame and firm tread, the eminent but severe beauty of the countenance, not yet sealed with the middle age of man, the exuberant demonstration of all sorts of power, which so marked him at first,—for these, as once they were, I explored in vain. Yet how far higher was the interest that attended him now: his sixty-nine years robed, as it were, with honor and with love, with associations of great service done to the state, and of great fame gathered and safe; and then the perfect mastery of the cause in its legal and scientific principles, and in all its facts; the admirable

clearness and order in which his propositions were advanced successively ; the power, the occasional high ethical tone, the appropriate eloquence, by which they were made probable and persuasive to the judicial reason, — these announced the leader of the American bar, with every faculty and every accomplishment, by which he had won that proud title, wholly unimpaired ; the eye not dim nor the natural force abated.

I cannot here and now trace, with any minuteness, the course of Mr. Webster at the bar during these forty-eight years from the opening of his office in Boscawen ; nor convey any impression whatever of the aggregate of labor which that course imposed ; or of the intellectual power which it exacted ; nor indicate the stages of his rise ; nor define the time when his position at the summit of the profession may be said to have become completely vindicated. You know, in general, that he began the practice of the law in New Hampshire in the spring of 1805 ; that he prosecuted it, here, in its severest school, with great diligence, and brilliant success, among competitors of larger experience and of consummate ability, until 1816 ; that he then removed to Massachusetts, and that there, in the courts of that State, and of other States, and in those of the general government, and especially in the Supreme Court sitting at Washington, he pursued it as the calling by which he was to earn his daily bread, until he died. You know, indeed, that he did not pursue it exactly as one pursues it who confines himself to an office ; and seeks to do the current and miscellaneous business of a single bar. His professional employment, as I have

often heard him say, was very much the preparation of opinions on important questions, presented from every part of the country; and the trial of causes. This kind of professional life allowed him seasonable vacations; and it accommodated itself somewhat to the exactions of his other and public life. But it was all one long and continued practice of the law; the professional character was never put off; nor the professional robe long unworn to the last.

You know, too, his character as a jurist. This topic has been recently and separately treated, with great ability, by one in a high degree competent to the task,—the late learned Chief Justice of New Hampshire, now Professor of Law at Cambridge; and it needs no additional illustration from me. Yet, let me say, that herein, also, the first thing which strikes you is the union of diverse, and, as I have said, what might have been regarded incompatible excellences. I shall submit it to the judgment of the universal American bar, if a carefully prepared opinion of Mr. Webster, on any question of law whatever in the whole range of our jurisprudence, would not be accepted everywhere as of the most commanding authority, and as the highest evidence of legal truth? I submit it to that same judgment, if for many years before his death, they would not have rather chosen to intrust the maintenance and enforcement of any important proposition of law whatever, before any legal tribunal of character whatever, to his best exertion of his faculties, than to any other ability which the whole wealth of the profession could supply?

And this alone completes the description of a lawyer and a forensic orator of the first rate; but it does

not complete the description of his professional character. By the side of all this, so to speak, there was that whole class of qualities which made him for any description of trial by jury whatever, criminal or civil, by even a more universal assent, foremost. For that form of trial no faculty was unused or needless; but you were most struck there to see the unrivalled legal reason put off, as it were, and reappear in the form of a robust common sense and eloquent feeling, applying itself to an exciting subject of business; to see the knowledge of men and life by which the falsehood and veracity of witnesses, the probabilities and improbabilities of transactions as sworn to, were discerned in a moment; the direct, plain, forcible speech; the consummate narrative, a department which he had particularly cultivated, and in which no man ever excelled him; the easy and perfect analysis by which he conveyed his side of the cause to the mind of the jury; the occasional gush of strong feeling, indignation, or pity; the masterly, yet natural way, in which all the moral emotions of which his cause was susceptible were called to use, the occasional sovereignty of dictation to which his convictions seemed spontaneously to rise. His efforts in trials by jury compose a more traditional and evanescent part of his professional reputation than his arguments on questions of law; but I almost think they were his mightiest professional displays, or displays of any kind, after all.

One such I stood in a relation to witness with a comparatively easy curiosity, and yet with intimate and professional knowledge of all the embarrassments of the case. It was the trial of John Francis

Knapp, charged with being present, aiding, and abetting in the murder of Joseph White, in which Mr. Webster conducted the prosecution for the Commonwealth,—in the same year with his reply to Mr. Hayne, in the Senate and a few months later,—and when I bring to mind the incidents of that trial; the necessity of proving that the prisoner was near enough to the chamber in which the murder was being committed by another hand to aid in the act, and was there with the intention to do so, and thus in point of law did aid in it—because mere accessorial guilt was not enough to convict him; the difficulty of proving this—because the nearest point to which the evidence could trace him was still so distant as to warrant a pretty formidable doubt whether mere curiosity had not carried him thither; and whether he could in any useful or even conceivable manner have coöperated with the actual murderer, if he had intended to do so; and because the only mode of rendering it probable that he was there with a purpose of guilt was by showing that he was one of the parties to a conspiracy of murder, whose very existence, actors, and objects, had to be made out by the collation of the widest possible range of circumstances—some of them pretty loose; and even if he was a conspirator, it did not quite necessarily follow that any active participation was assigned to him for his part, any more than to his brother, who, confessedly took no such part—the great number of witnesses to be examined and cross-examined, a duty devolving wholly on him; the quick and sound judgment demanded and supplied to determine what to use and what to reject of a mass of rather unmanage-



able materials ; the points in the law of evidence to be argued — in the course of which he made an appeal to the Bench on the complete impunity which the rejection of the prisoner's confession would give to the murder, in a style of dignity and energy, I should rather say of grandeur, which I never heard him equal before or after ; the high ability and fidelity with which every part of the defence was conducted ; and the great final summing up to which he brought, and in which he needed, the utmost exertion of every faculty he possessed to persuade the jury that the obligation of that duty the sense of which, he said, " pursued us ever : it is omnipresent like the Deity : if we take the wings of the morning and dwell in the uttermost parts of the sea, duty performed or duty violated is still with us for our happiness or misery " — to persuade them that this obligation demanded that on his proofs they should convict the prisoner : to which he brought first the profound belief of his guilt, without which he could not have prosecuted him ; then skill consummate in inspiring them with a desire or a willingness to be instrumental in detecting that guilt ; and to lean on him in the effort to detect it ; then every resource of professional ability to break the force of the propositions of the defence, and to establish the truth of his own : inferring a conspiracy to which the prisoner was a party, from circumstances acutely ridiculed by the able counsel opposing him as " Stuff " — but woven by him into strong and uniform tissue ; and then bridging over from the conspiracy to the not very necessary inference that the particular conspirator on trial was at his post, in execution of it, to aid

and abet — the picture of the murder with which he begun — not for rhetorical display, but to inspire solemnity and horror, and a desire to detect and punish for justice and for security ; the sublime exhortation to duty with which he closed — resting on the universality, and authoritativeness, and eternity of its obligation — which left in every juror's mind the impression that it was the duty of convicting in this particular case the sense of which would be with him in the hour of death, and in the judgment, and for ever — with these recollections of that trial I cannot help thinking it a more difficult and higher effort of mind than that more famous "Oration for the Crown."

It would be not unpleasing nor inappropriate to pause, and recall the names of some of that succession of competitors by whose rivalry the several stages of his professional life were honored and exercised ; and of some of the eminent judicial persons who presided over that various and high contention. Time scarcely permits this ; but in the briefest notice I must take occasion to say that perhaps the most important influence — certainly the most important early influence — on his professional traits and fortunes was that exerted by the great general abilities, impressive character, and legal genius of Mr. Mason. Who he was you all know. How much the jurisprudence of New Hampshire owes to him ; what deep traces he left on it ; how much he did to promote the culture, and to preserve the integrity, of the old common law ; to adapt it to your wants, and your institutions ; and to construct a system of practice by which it was administered with ex-

traordinary energy and effectiveness for the discovery of truth, and the enforcement of right; you of the legal profession of this State will ever be proud to acknowledge. Another forum in a neighboring commonwealth witnessed and profited by the last labors and enlarged studies of the consummate lawyer and practiser; and at an earlier day the Senate, the country, had recognized his vast practical wisdom and sagacity, the fruit of the highest intellectual endowments, matured thought, and profound observation; his fidelity to the obligations of that party connection to which he was attached; his fidelity through all his life, still more conspicuous and still more admirable, to the higher obligations of a considerate and enlarged patriotism. He had been more than fourteen years at the bar, when Mr. Webster came to it; he discerned instantly what manner of man his youthful competitor was; he admitted him to his intimate friendship; and paid him the unequivocal compliment, and did him the real kindness, of compelling him to the utmost exertion of his diligence and capacity by calling out against him all his own. "The proprieties of this occasion" — these are Mr. Webster's words in presenting the resolutions of the Suffolk Bar upon Mr. Mason's death — "compel me, with whatever reluctance, to refrain from the indulgence of the personal feelings which arise in my heart upon the death of one with whom I have cultivated a sincere, affectionate, and unbroken friendship, from the day when I commenced my own professional career to the closing hour of his life. I will not say of the advantages which I have derived from his intercourse and conversation all that Mr. Fox said of

Edmund Burke ; but I am bound to say, that of my own professional discipline and attainments, whatever they may be, I owe much to that close attention to the discharge of my duties which I was compelled to pay for nine successive years, from day to day, by Mr. Mason's efforts and arguments at the same bar. I must have been unintelligent indeed, not to have learned something from the constant displays of that power which I had so much occasion to see and feel."

I reckon next to his, for the earlier time of his life, the influence of the learned and accomplished Smith ; and next to these — some may believe greater — is that of Mr. Justice Story. That extraordinary person had been admitted to the bar in Essex in Massachusetts in 1801 ; and he was engaged in many trials in the county of Rockingham in this State before Mr. Webster had assumed his own established position. Their political opinions differed ; but such was his affluence of knowledge already ; such his stimulant enthusiasm ; he was burning with so incredible a passion for learning and fame, that the influence on the still young Webster was instant ; and it was great and permanent. It was reciprocal too ; and an intimacy began that attended the whole course of honor through which each, in his several sphere, ascended. Parsons he saw, also, but rarely ; and Dexter oftener, and with more nearness of observation, while yet laying the foundation of his own mind and character ; and he shared largely in the universal admiration of that time, and of this, of their attainments and genius and diverse greatness.

As he came to the grander practice of the national bar, other competition was to be encountered. Other

names begin to solicit us ; other contention ; higher prizes. It would be quite within the proprieties of this discourse to remember the parties, at least, to some of the higher causes, by which his ultimate professional fame was built up ; even if I could not hope to convey any impression of the novelty and difficulty of the questions which they involved, or of the positive addition which the argument, and judgment, made to the treasures of our constitutional and general jurisprudence. But there is only one of which I have time to say any thing, and that is the case which established the inviolability of the charter of Dartmouth College by the Legislature of the State of New Hampshire. Acts of the Legislature, passed in the year 1816, had invaded its charter. A suit was brought to test their validity. It was tried in the Supreme Court of the State ; a judgment was given against the College, and this was appealed to the Supreme Federal Court by writ of error. Upon solemn argument the charter was decided to be a contract whose obligation a State may not impair ; the acts were decided to be invalid as an attempt to impair it, and you hold your charter under that decision to-day. How much Mr. Webster contributed to that result, how much the effort advanced his own distinction at the bar, you all know. Well, as if of yesterday, I remember how it was written home from Washington, that “ Mr. Webster closed a legal argument of great power by a peroration which charmed and melted his audience.” Often since, I have heard vague accounts, not much more satisfactory, of the speech and the scene. I was aware that the report of his argument, as it was published, did not contain

the actual peroration, and I supposed it lost for ever. By the great kindness of a learned and excellent person, Dr. Chauncy A. Goodrich, a professor in Yale College, with whom I had not the honor of acquaintance, although his virtues, accomplishments, and most useful life were well known to me, I can read to you the words whose power, when those lips spoke them, so many owned, although they could not repeat them. As those lips spoke them, we shall hear them nevermore, but no utterance can extinguish their simple, sweet, and perfect beauty. Let me first bring the general scene before you, and then you will hear the rest in Mr. Goodrich's description. It was in 1818, in the thirty-seventh year of Mr. Webster's age. It was addressed to a tribunal presided over by Marshall, assisted by Washington, Livingston, Johnson, Story, Todd, and Duvall,—a tribunal unsurpassed on earth in all that gives illustration to a bench of law, and sustained and venerated by a noble bar. He had called to his aid the ripe and beautiful culture of Hopkinson; and of his opponents was William Wirt, then and ever of the leaders of the bar, who, with faculties and accomplishments fitting him to adorn and guide public life, abounding in deep professional learning, and in the most various and elegant acquisitions,—a ripe and splendid orator, made so by genius and the most assiduous culture,—consecrated all to the service of the law. It was before that tribunal, and in presence of an audience select and critical, among whom, it is to be borne in mind, were some graduates of the college, who were attending to assist against her, that he opened the cause. I gladly proceed in the words of Mr. Goodrich.

“ Before going to Washington, which I did chiefly for the sake of hearing Mr. Webster, I was told that, in arguing the case at Exeter, New Hampshire, he had left the whole court-room in tears at the conclusion of his speech. This, I confess, struck me unpleasantly, — any attempt at pathos on a purely legal question like this seemed hardly in good taste. On my way to Washington I made the acquaintance of Mr. Webster. We were together for several days in Philadelphia, at the house of a common friend; and as the College question was one of deep interest to literary men, we conversed often and largely on the subject. As he dwelt upon the leading points of the case, in terms so calm, simple, and precise, I said to myself more than once, in reference to the story I had heard, ‘ Whatever may have seemed appropriate in defending the College at *home*, and on her own ground, there will be no appeal to the feelings of Judge Marshall and his associates at Washington.’ The Supreme Court of the United States held its session, that winter, in a mean apartment of moderate size, — the Capitol not having been built after its destruction in 1814. The audience, when the case came on, was therefore small, consisting chiefly of legal men, the *élite* of the profession throughout the country. Mr. Webster entered upon his argument in the calm tone of easy and dignified conversation. His matter was so completely at his command that he scarcely looked at his brief, but went on for more than four hours with a statement so luminous, and a chain of reasoning so easy to be understood, and yet approaching so nearly to absolute demonstration, that he seemed to carry with him every man of his

audience without the slightest effort or weariness on either side. It was hardly *eloquence*; in the strict sense of the term; it was pure reason. Now and then, for a sentence or two, his eye flashed and his voice swelled into a bolder note, as he uttered some emphatic thought; but he instantly fell back into the tone of earnest conversation, which ran throughout the great body of his speech. A single circumstance will show you the clearness and absorbing power of his argument.

“ I observed that Judge Story, at the opening of the case, had prepared himself, pen in hand, as if to take copious minutes. Hour after hour I saw him fixed in the same attitude, but, so far as I could perceive, with not a note on his paper. The argument closed, and *I could not discover that he had taken a single note*. Others around me remarked the same thing; and it was among the *on dits* of Washington, that a friend spoke to him of the fact with surprise, when the Judge remarked, ‘ Every thing was so clear, and so easy to remember, that not a note seemed necessary, and, in fact, I thought little or nothing about my notes.’

“ The argument ended. Mr. Webster stood for some moments silent before the Court, while every eye was fixed intently upon him. At length, addressing the Chief Justice, Marshall, he proceeded thus : —

“ ‘ *This, Sir, is my case!* It is the case, not merely of that humble institution, it is the case of every College in our land. It is more. It is the case of every Eleemosynary Institution throughout our country, — of all those great charities founded by the piety



of our ancestors to alleviate human misery, and scatter blessings along the pathway of life. It is more! It is, in some sense, the case of every man among us who has property of which he may be stripped; for the question is simply this: Shall our State Legislatures be allowed to take that which is not their own, to turn it from its original use, and apply it to such ends or purposes as they, in their discretion, shall see fit!

“ ‘Sir, you may destroy this little Institution; it is weak; it is in your hands! I know it is one of the lesser lights in the literary horizon of our country. You may put it out. But if you do so, you must carry through your work! You must extinguish, one after another, all those great lights of science which, for more than a century, have thrown their radiance over our land!’

“ ‘It is, Sir, as I have said, a small College. And yet *there are those who love it*’ —

“Here the feelings which he had thus far succeeded in keeping down broke forth. His lips quivered; his firm cheeks trembled with emotion; his eyes were filled with tears, his voice choked, and he seemed struggling to the utmost simply to gain that mastery over himself which might save him from an unmanly burst of feeling. I will not attempt to give you the few broken words of tenderness in which he went on to speak of his attachment to the College. The whole seemed to be mingled throughout with the recollections of father, mother, brother, and all the trials and privations through which he had made his way into life. Every one saw that it was wholly unpremeditated, a pressure on his heart, which sought relief in words and tears.

“ The court-room during these two or three minutes presented an extraordinary spectacle. Chief Justice Marshall, with his tall and gaunt figure bent over as if to catch the slightest whisper, the deep furrows of his cheek expanded with emotion, and eyes suffused with tears ; Mr. Justice Washington at his side, — with his small and emaciated frame, and countenance more like marble than I ever saw on any other human being, — leaning forward with an eager, troubled look ; and the remainder of the Court, at the two extremities, pressing, as it were, toward a single point, while the audience below were wrapping themselves round in closer folds beneath the bench to catch each look, and every movement of the speaker’s face. If a painter could give us the scene on canvas, — those forms and countenances, and Daniel Webster as he then stood in the midst, it would be one of the most touching pictures in the history of eloquence. One thing it taught me, that the *pathetic* depends not merely on the words uttered, but still more on the estimate we put upon him who utters them. There was not one among the strong-minded men of that assembly who could think it unmanly to weep, when he saw standing before him the man who had made such an argument, melted into the tenderness of a child.

“ Mr. Webster had now recovered his composure, and fixing his keen eye on the Chief Justice, said, in that deep tone with which he sometimes thrilled the heart of an audience, —

“ ‘ Sir, I know not how others may feel,’ (glancing at the opponents of the College before him,) ‘ but, for myself, when I see my Alma Mater surrounded, like

Cæsar in the senate-house, by those who are reiterating stab upon stab, I would not, for this right hand, have her turn to me, and say, *Et tu quoque, mi fili!* And thou too, my son !'

"He sat down. There was a deathlike stillness throughout the room for some moments ; every one seemed to be slowly recovering himself, and coming gradually back to his ordinary range of thought and feeling."

It was while Mr. Webster was ascending through the long gradations of the legal profession to its highest rank, that by a parallel series of display on a stage, and in parts totally distinct, by other studies, thoughts, and actions, he rose also to be at his death the first of American statesmen. The last of the mighty rivals was dead before, and he stood alone. Give this aspect also of his greatness a passing glance. His public life began in May, 1813, in the House of Representatives in Congress, to which this State had elected him. It ended when he died. If you except the interval between his removal from New Hampshire and his election in Massachusetts, it was a public life of forty years. By what political morality, and by what enlarged patriotism, embracing the whole country, that life was guided, I shall consider hereafter. Let me now fix your attention rather on the magnitude and variety and actual value of the service. Consider that from the day he went upon the Committee of Foreign Relations, in 1813, in time of war, and more and more, the longer he lived and the higher he rose, he was a man whose great talents and devotion to public duty placed and kept him in a position of associated or sole command ; command .

in the political connection to which he belonged, command in opposition, command in power; and appreciate the responsibilities which that implies, what care, what prudence, what mastery of the whole ground, — exacting for the conduct of a party, as Gibbon says of Fox, abilities and civil discretion equal to the conduct of an empire. Consider the work he did in that life of forty years — the range of subjects investigated and discussed; composing the whole theory and practice of our organic and administrative politics, foreign and domestic: the vast body of instructive thought he produced and put in possession of the country; how much he achieved in Congress as well as at the bar, to fix the true interpretation, as well as to impress the transcendent value of the Constitution itself, as much altogether as any jurist or statesman since its adoption; how much to establish in the general mind the great doctrine that the government of the United States is a government proper, established by the people of the States, not a compact between sovereign communities, — that within its limits it is supreme, and that whether it is within its limits or not, in any given exertion of itself, is to be determined by the Supreme Court of the United States — the ultimate arbiter in the last resort — from which there is no appeal but to revolution; how much he did in the course of the discussions which grew out of the proposed mission to Panama, and, at a later day, out of the removal of the deposits, to place the executive department of the government on its true basis, and under its true limitations; to secure to that department all its just powers on the one hand, and on the other hand to

vindicate to the legislative department, and especially to the Senate, all that belong to them ; to arrest the tendencies which he thought at one time threatened to substitute the government of a single will, of a single person of great force of character and boundless popularity, and of a numerical majority of the people, told by the head, without intermediate institutions of any kind, judicial or senatorial, in place of the elaborate system of checks and balances, by which the Constitution aimed at a government of laws, and not of men ; how much, attracting less popular attention, but scarcely less important, to complete the great work which experience had shown to be left unfinished by the judiciary act of 1789, by providing for the punishment of all crimes against the United States ; how much for securing a safe currency and a true financial system, not only by the promulgation of sound opinions, but by good specific measures adopted, or bad ones defeated ; how much to develop the vast material resources of the country, and to push forward the planting of the West — not troubled by any fear of exhausting old States — by a liberal policy of public lands, by vindicating the constitutional power of Congress to make or aid in making large classes of internal improvements, and by acting on that doctrine uniformly from 1813, whenever a road was to be built, or a rapid suppressed, or a canal to be opened, or a breakwater or a lighthouse set up above or below the flow of the tide, if so far beyond the ability of a single State, or of so wide utility to commerce and labor as to rise to the rank of a work general in its influences — another tie of union because another proof of the beneficence of union ;

how much to protect the vast mechanical and manufacturing interests of the country, a value of many hundreds of millions — after having been lured into existence against his counsels, against his science of political economy, by a policy of artificial encouragement — from being sacrificed, and the pursuits and plans of large regions and communities broken up, and the acquired skill of the country squandered by a sudden and capricious withdrawal of the promise of the government ; how much for the right performance of the most delicate and difficult of all tasks, the ordering of the foreign affairs of a nation, free, sensitive, self-conscious, recognizing, it is true, public law and a morality of the State, binding on the conscience of the State, yet aspiring to power, eminence, and command, its whole frame filled full and all on fire with American feeling, sympathetic with liberty everywhere — how much for the right ordering of the foreign affairs of such a State — aiming in all his policy, from his speech on the Greek question in 1823, to his letters to M. Hulsemann in 1850, to occupy the high, plain, yet dizzy ground which separates influence from intervention, to avow and promulgate warm good-will to humanity, wherever striving to be free, to inquire authentically into the history of its struggles, to take official and avowed pains to ascertain the moment when its success may be recognized, consistently, ever, with the great code that keeps the peace of the world, abstaining from every thing that shall give any nation a right under the law of nations to utter one word of complaint, still less to retaliate by war — the sympathy, but also the neutrality, of Washington — how much to com-

pose with honor a concurrence of difficulties with the first power in the world, which any thing less than the highest degree of discretion, firmness, ability, and means of commanding respect and confidence at home and abroad would inevitably have conducted to the last calamity — a disputed boundary line of many hundred miles, from the St. Croix to the Rocky Mountains, which divided an exasperated and impracticable border population, enlisted the pride and affected the interests and controlled the politics of particular States, as well as pressed on the peace and honor of the nation, which the most popular administrations of the era of the quietest and best public feelings, the times of Monroe and of Jackson, could not adjust; which had grown so complicated with other topics of excitement that one false step, right or left, would have been a step down a precipice — this line settled for ever — the claim of England to search our ships for the suppression of the slave-trade silenced for ever, and a new engagement entered into by treaty, binding the national faith to contribute a specific naval force for putting an end to the great crime of man — the long practice of England to enter an American ship and impress from its crew, terminated for ever; the deck henceforth guarded sacredly and completely by the flag — how much by profound discernment, by eloquent speech, by devoted life to strengthen the ties of Union, and breathe the fine and strong spirit of nationality through all our numbers — how much, most of all, last of all, after the war with Mexico, needless if his counsels had governed, had ended in so vast an acquisition of territory, in presenting to the two great antagonistic

sections of our country so vast an area to enter on, so imperial a prize to contend for, and the accursed fraternal strife had begun—how much then, when rising to the measure of a true and difficult and rare greatness, remembering that he had a country to save as well as a local constituency to gratify, laying all the wealth, all the hopes, of an illustrious life on the altar of a hazardous patriotism, he sought and won the more exceeding glory which now attends—which in the next age shall more conspicuously attend—his name who composes an agitated and saves a sinking land—recall this series of conduct and influences, study them carefully in their facts and results—the reading of years—and you attain to a true appreciation of this aspect of his greatness—his public character and life.

For such a review the eulogy of an hour has no room. Such a task demands research, details, proofs, illustrations, a long labor,—a volume of history, composed according to her severest laws,—setting down nothing, depreciating nothing, in malignity to the dead; suppressing nothing, and falsifying nothing, in adulation of the dead; professing fidelity incorrupt, unswerved by hatred or by love, yet able to measure, able to glow in the contemplation of a true greatness, and a vast and varied and useful public life; such a history as the genius and judgment and delicate private and public morality of Everett, assisted by his perfect knowledge of the facts,—not disqualified by his long friendship, unchilled to the last hour,—such a history as he might construct.

Two or three suggestions, occurring on the most general observation of this aspect of his eminence, you will tolerate as I leave the topic.



Remark how very large a proportion of all this class of his acts are wholly beyond and outside of the profession of the law ; demanding studies, experience, a turn of mind, a cast of qualities and character, such as that profession neither gives nor exacts. Some single speeches in Congress, of consummate ability, have been made by great lawyers, drawing for the purpose only on the learning, accomplishments, logic, and eloquence of the forum. Such was Chief Justice, then Mr. Marshall's argument in the case of Jonathan Robbins, — turning on the interpretation of a treaty, and the constitutional power of the executive ; a demonstration, if there is any in Euclid, anticipating the masterly judgments in the cause of Dartmouth College, or of Gibbons and Ogden, or of Maculloch and the State of Maryland ; but such an one as a lawyer like him — if another there was — could have made, in his professional capacity, at the bar of the House, although he had never reflected on practical politics an hour in his life. Such, somewhat, was William Pinkney's speech in the House of Representatives, on the treaty-making power, in 1815, and his two more splendid displays in the Senate, on the Missouri question, in 1820, — the last of which I heard Mr. Clay pronounce the greatest he ever heard. They were pieces of legal reasoning on questions of constitutional law, decorated, of course, by a rhetoric which Hortensius might have envied, and Cicero would not have despised ; but they were professional at last. To some extent this is true of some of Mr. Webster's ablest speeches in Congress ; or, more accurately, of some of the more important portions of some of his ablest. I should say so of a part of

that on the Panama Mission; of the reply to Mr. Hayne, even; and of almost the whole of that reply to Mr. Calhoun on the thesis, "the Constitution not a compact between sovereign States;" the whole series of discussion of the constitutional power of the executive, and the constitutional power of the senate, growing out of the removal of the deposits and the supposed tendencies of our system towards a centralization of government in a President, and a majority of the people, — marked, all of them, by amazing ability: To these the lawyer who could demonstrate that the charter of this College is a contract within the Constitution, or that the steamboat monopoly usurped upon the executed power of Congress to regulate commerce, was already equal; but to have been the leader, or of the leaders, of his political connection for thirty years; to have been able to instruct and guide on every question of policy, as well as law, which interested the nation in all that time; every question of finance, of currency, of the lands, of the development and care of our resources and labor; to have been of strength to help to lead his country by the hand up to a position of influence and attraction on the highest places of earth, yet to keep her peace and to keep her honor; to have been able to emulate the prescriptive and awful renown of the founders of States, by doing something which will be admitted, when some generations have passed, even more than now, to have contributed to preserve the State, — for all this another man was needed, and he stands forth another and the same.

I am hereafter to speak separately of the political morality which guided him ever; but I would say a

word now on two portions of his public life, one of which has been the subject of accusatory, the other of disparaging, criticism, — unsound, unkind, in both instances.

The first comprises his course in regard to a protective policy. He opposed a tariff of protection, it is said, in 1816 and 1820 and 1824; and he opposed, in 1828, a sudden and fatal repeal of such a tariff; and thereupon I have seen it written that "this proved him a man with no great, comprehensive ideas of political economy; who took the fleeting interests and transient opinions of the hour for his norms of conduct;" "who had no sober and serious convictions of his own." I have seen it more decorously written, "that his opinions on this subject were not determined by general principles, but by a consideration of immediate sectional interests."

I will not answer this by what Scaliger says of Lipsius, the arrogant pedant, who dogmatized on the deeper politics as he did on the text of Tacitus and Seneca. *Neque est politicus; nec potest quicquam in politiâ; nihil possunt pedantes in ipsis rebus: nec ego, nec alius doctus possumus scribere in politicis.* I say only that the case totally fails to give color to the charge. The reasonings of Mr. Webster in 1816, 1820, and 1824, express that, on mature reflection and due and appropriate study, he had embraced the opinion that it was needless and unwise to force American manufactures, by regulation, prematurely to life. Bred in a commercial community; taught from his earliest hours of thought to regard the care of commerce as, in point of fact, a leading object and cause of the Union; to observe around him no other

forms of material industry than those of commerce, navigation, fisheries, agriculture, and a few plain and robust mechanical arts, he would come to the study of the political economy of the subject with a certain preoccupation of mind, perhaps; so coming, he did study it at its well-heads, and he adopted his conclusions sincerely, and announced them strongly.

His opinions were overruled by Congress; and a national policy was adopted, holding out all conceivable promises of permanence, under which vast and sensitive investments of capital were made; the expectations, the employments, the habits, of whole ranges of States were recast; and industry, new to us, springing, immature, had been advanced just so far that, if deserted at that moment, there must follow a squandering of skill, a squandering of property, an aggregate of destruction, senseless, needless, and unconscientious, — such as marks the worst form of revolution. On these facts, at a later day, he thought that that industry, the child of government, should not thus capriciously be deserted. “The duty of the government,” he said, “at the present moment would seem to be to preserve, not to destroy; to maintain the position which it has assumed; and, for one, I shall feel it an indispensable obligation to hold it steady, as far as in my power, to that degree of protection which it has undertaken to bestow.”

And does this prove that these original opinions were hasty, shallow, insincere, unstudied? Consistently with every one of them; consistently with the true spirit and all the aims of the science of political economy itself; consistently with every duty of sober, high, earnest, and moral statesmanship, might not he

who resisted the making of a tariff in 1816 deprecate its abandonment in 1828? Does not Adam Smith himself admit that it is "*matter fit for deliberation* how far, or in what manner, it may be proper to restore that free importation after it has been for some time interrupted"? implying that a general principle of national wealth may be displaced or modified by special circumstances; but would these censors, therefore, cry out that he had no "great and comprehensive ideas of political economy," and was willing to be "determined, not by general principles, but by immediate interests"? Because a father advises his son against an early and injudicious marriage, does it logically follow, or is it ethically right, that, after his advice has been disregarded, he is to recommend desertion of the young wife and the young child? I do not appreciate the beauty and "comprehensiveness" of those scientific ideas which forget that the actual and vast "interests" of the community are exactly what the legislator has to protect; that the concrete of things must limit the foolish wantonness of *a priori* theory; that that department of politics which has for its object the promotion and distribution of the wealth of nations may very consistently and very scientifically preserve what it would not have created. He who accuses Mr. Webster in this behalf of "having no sober and serious convictions of his own" must afford some other proof than his opposition to the introduction of a policy, and then his willingness to protect it after it had been introduced, and five hundred millions of property, or, however, a countless sum, had been invested under it, or become dependent on its continuance.

I should not think that I consulted his true fame, if I did not add that as he came to observe the practical workings of the protective policy more closely than at first he had done ; as he came to observe the working and influences of a various manufacturing and mechanical labor ; to see how it employs and develops every faculty ; finds occupation for every hour ; creates or diffuses and disciplines ingenuity, gathering up every fragment of mind and time so that nothing be lost ; how a steady and ample home market assists agriculture ; how all the great employments of man are connected by a kindred tie, so that the tilling of the land, navigation, foreign, coastwise, and interior commerce, all grow with the growth, and strengthen with the strength of the industry of the arts, — he came to appreciate, more adequately than at first, how this form of labor contributes to wealth, power, enjoyment, a great civilization ; he came more justly to grasp the conception of how consummate a destruction it would cause — how senseless, how unphilosophical, how immoral — to arrest it suddenly and capriciously — after it had been lured into life ; how wiser, how far truer to the principles of the science which seeks to augment the wealth of the State, to refuse to destroy so immense an accumulation of that wealth ! In this sense, and in this way, I believe his opinions were matured and modified ; but it does not quite follow that they were not, in every period, conscientiously formed and held, or that they were not in the actual circumstances of each period philosophically just, and practically wise.

The other act of his public life to which I alluded is his negotiation of the Treaty of Washington, in

1842, with Great Britain. This act, the country, the world, has judged, and has applauded. Of his administrative ability, his discretion, temper, civil courage, his power of exacting respect and confidence from those with whom he communicated, and of influencing their reason ; his knowledge of the true interests and true grandeur of the two great parties to the negotiation ; of the States of the Union more immediately concerned, and of the world whose chief concern is peace ; and of the intrepidity with which he encountered the disappointed feelings, and disparaging criticisms of the hour, in the consciousness that he had done a good and large deed, and earned a permanent and honest renown — of these it is the truest and most fortunate single exemplification which remains of him. Concerning its difficulty, importance, and merits of all sorts, there were at the time few dissenting opinions among those most conversant with the subject, although there were some ; to-day there are fewer still. They are so few — a single sneer by the side of his grave, expressing that “a man who makes such a bargain is not entitled to any great glory among diplomatists,” is all that I can call to mind — that I will not arrest the course of your feelings here and now by attempting to refute that “sneer” out of the history of the hour and scene. “Standing here,” he said, in April, 1846, in the Senate of the United States, to which he had returned — “standing here to-day, in this Senate, and speaking in behalf of the administration of which I formed a part, and in behalf of the two houses of Congress who sustained that administration, cordially and effectively, in every thing relating to this treaty, I am

willing to appeal to the public men of the age, whether in 1842, and in the city of Washington, something was not done for the suppression of crime ; for the true exposition of the principles of public law ; for the freedom and security of commerce on the ocean, and for the peace of the world !” In that forum the appeal has been heard, and the praise of a diplomatic achievement of true and permanent glory, has been irreversibly awarded to him. Beyond that forum of the mere “public men of the age,” by the larger jurisdiction, the general public, the same praise has been awarded. *Sunt hic etiam sua præmia laudi.* That which I had the honor to say in the Senate, in the session of 1843, in a discussion concerning this treaty, is true and applicable, now as then. “Why should I, or why should any one, assume the defence of a treaty here in this body, which but just now, on the amplest consideration, in the confidence and calmness of executive session, was approved by a vote so decisive? Sir, the country, by a vote far more decisive, in a proportion very far beyond thirty-nine to nine, has approved your approval. Some there are, some few — I speak not now of any member of this Senate — restless, selfish, reckless, ‘the cankers of a calm world and a long peace,’ pining with thirst of notoriety, slaves to their hatred of England, to whom the treaty is distasteful ; to whom any treaty, and all things but the glare and clamor, the vain pomp and hollow circumstance of war — all but these would be distasteful and dreary. But the country is with you in this act of wisdom and glory ; its intelligence ; its morality ; its labor ; its good men ; the thoughtful ; the philanthropic ; the discreet ; the masses, are with



you.” “It confirms the purpose of the wise and good of both nations to be for ever at peace with one another, and to put away for ever all war from the kindred races: war the most ridiculous of blunders; the most tremendous of crimes; the most comprehensive of evils.”

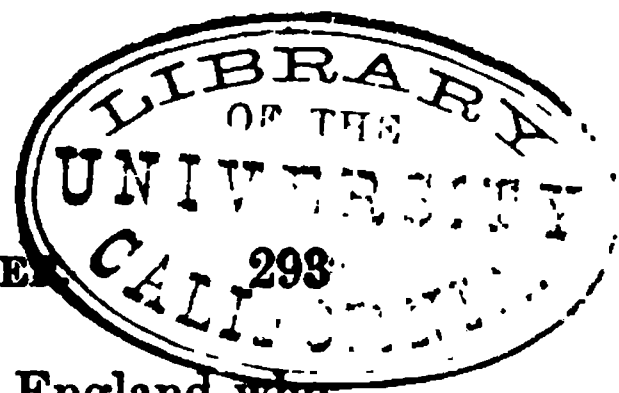
And now to him who in the solitude of his library depreciates this act, first, because there was no danger of a war with England, I answer that according to the overwhelming weight of that kind of evidence by which that kind of question must be tried, that is, by the judgment of the great body of well-informed public men at that moment in Congress; in the government; in diplomatic situation—our relations to that power had become so delicate, and so urgent, that, unless soon adjusted by negotiation, there was real danger of war. Against such evidence, what is the value of the speculation of a private person, ten years afterwards, in the shade of his general studies, whatever his sagacity? The temper of the border population; the tendencies to disorder in Canada, stimulated by sympathizers on our side of the line; the entrance on our territory of a British armed force in 1837; cutting *The Caroline* out of her harbor, and sending her down the falls; the arrest of McLeod in 1841, a British subject, composing part of that force, by the government of New York, and the threat to hang him, which a person high in office in England declared, in a letter which was shown to me, would raise a cry for war from “whig, radical, and tory” which no ministry could resist; growing irritation caused by the search of our vessels under color of suppressing the slave-trade; the long controversy,

almost as old as the government, about the boundary line — so conducted as to have at last convinced each disputant that the other was fraudulent and insincere ; as to have enlisted the pride of States ; as to have exasperated and agitated a large line of border ; as to have entered finally into the tactics of political parties, and the schemes of ambitious men, out-bidding, out-racing one another in a competition of clamor and vehemence ; a controversy on which England, a European monarchy, a first-class power, near to the great sources of the opinion of the world, by her press, her diplomacy, her universal intercourse, had taken great pains to persuade Europe that our claim was groundless and unconscientious, — all these things announced to near observers in public life a crisis at hand which demanded something more than “any sensible and honest man” to encounter ; assuring some glory to him who should triumph over it. One such observer said, “Men stood facing each other with guns on their shoulders, upon opposite sides of fordable rivers, thirty yards wide. The discharge of a single musket would have brought on a war whose fires would have encircled the globe.”

Is this act disparaged next because what each party had for sixty years claimed as the true line of the old treaty was waived, a line of agreement substituted, and equivalents given and taken for gain or loss ? But herein you will see only, what the nation has seen, the boldness as well as sagacity of Mr. Webster. When the award of the king of the Netherlands, proposing a line of agreement, was offered to President Jackson, that strong will dared not accept it in the face of the party politics of Maine — al-

though he advised to offer her the value of a million of dollars to procure her assent to an adjustment which his own mind approved. What he dared not do inferred some peril, I suppose. Yet the experience of twenty years — of sixty years — should have taught all men — had taught many who shrank from acting on it, that the Gordian knot must be cut, not unloosed; that all further attempt to find the true line must be abandoned as an idle and perilous diplomacy; and that a boundary must be made by a bargain worthy of nations, or must be traced by the point of the bayonet. The merit of Mr. Webster is, first, that he dared to open the negotiation on this basis. I say the boldness. For appreciate the domestic difficulties which attended it. In its nature it proposed to give up something which we had thought our own for half a century; to cede of the territory of more than one State; it demanded, therefore, the assent of those States by formal act, committing the State parties in power unequivocally; it was to be undertaken not in the administration of Monroe, — elected by the whole people, — not in the administration of Jackson, whose vast popularity could carry any thing, and withstand any thing; but just when the death of President Harrison had scattered his party; had alienated hearts; had severed ties and dissolved connections indispensable to the strength of administration, creating a loud call on Mr. Webster to leave the Cabinet, — creating almost the appearance of an unwillingness that he should contribute to its glory even by largest service to the State.

Yet consider finally how he surmounted every difficulty. I will not say with Lord Palmerston, in



parliament, that there was "nobody in England who did not admit it a very bad treaty for England." But I may repeat what I said on it in the senate in 1843. "And, now, what does the world see? An adjustment concluded by a special minister at Washington, by which four fifths of the value of the whole subject in controversy is left to you as your own; and by which, for that one fifth which England desires to possess, she pays you over and over, in national equivalents, imperial equivalents, such as a nation may give, such as a nation may accept, satisfactory to your interests, soothing to your honor, — the navigation of the St. John, — a concession the value of which nobody disputes, — a concession not to Maine alone, but to the whole country, — to commerce, to navigation, as far as winds blow or waters roll, — an *equivalent* of inappreciable value, opening an ample path to the sea, — an equivalent in part for what she receives of the territory in dispute, — a hundred thousand acres in New Hampshire; fifty thousand acres in Vermont and New York; the point of land commanding the great military way to and from Canada by Lake Champlain; the fair and fertile island of St. George; the surrender of a pertinacious pretension to four millions of acres westward of Lake Superior. Sir, I will not say that this adjustment admits, or was designed to admit, that our title to the whole territory in controversy was perfect and indisputable. I will not do so much injustice to the accomplished and excellent person who represented the moderation and the good sense of the English Government and people in this negotiation. I cannot adopt, even for the defence of a treaty which I

so much approve, the language of a writer in the 'London Morning Chronicle' of September last, — who has been said to be Lord Palmerston, — which over and over asserts, substantially as his lordship certainly did in parliament, that the adjustment 'virtually acknowledges the American claim to the whole of the disputed territory,' and that 'it gives England no share at all, — absolutely none; for the capitulation virtually and practically yields up the whole territory to the United States, and then brings back a small part of it in exchange for the right of navigating the St. John.' I will not say this. But I say first, that by concession of everybody it is a better treaty than the administration of President Jackson would have most eagerly concluded, if by the offer of a million and a quarter acres of land they could have procured the assent of Maine to it. That treaty she rejected; this she accepts; and I disparage nobody when I maintain that on all parts and all aspects of this question, — national or state, military or industrial, — her opinion is worth that of the whole country beside. I say next that the treaty admits the substantial justice of your general claim. It admits that in its utmost extent it was plausible, formidable, and made in pure good faith. It admits before the nations that we have not been rapacious; have not made false clamor; that we have asserted our own, and obtained our own. Adjudging to you the possession of four fifths indisputably, she gives you for the one fifth which you concede equivalents, — given *as equivalents* — *eo nomine*, — on purpose to soothe and save the point of honor; whose intrinsic and comparative value is such that you may accept them

as equivalents without reproach to your judgment, or your firmness, or your good faith, — whose intrinsic and comparative value, tried by the maxims, weighed in the scales of imperial traffic, make them a compensation over and over again for all we concede.”

But I linger too long upon his public life, and upon this one of its great acts. With what profound conviction of all the difficulties which beset it; with what anxieties for the issue, hope and fear alternately preponderating, he entered on that extreme trial of capacity and good fortune, and carried it through, I shall not soon forget. As if it were last night, I recall the time when, after the senate had ratified it in an evening executive session — by a vote of thirty-nine to nine — I personally carried to him the result, at his own house, and in presence of his wife. Then, indeed, the measure of his glory and happiness seemed full. In the exuberant language of Burke, “I stood near him; and his face, to use the expression of the Scripture of the first martyr, was as if it had been the face of an angel. ‘Hope elevated, and joy brightened his crest.’ I do not know how others feel; but if I had stood in that situation, I would not have exchanged it for all that kings or people could bestow.”

Such eminence and such hold on the public mind as he attained demands extraordinary general intellectual power, adequate mental culture, an impressive, attractive, energetic, and great character, and extraordinary specific power also of influencing the convictions and actions of others by speech. These all he had.

That in the quality of pure and sheer power of intellect he was of the first class of men is, I think, the universal judgment of all who have personally

witnessed many of his higher displays, and of all who without that opportunity have studied his life in its actions and influences, and studied his mind in its recorded thoughts. Sometimes it has seemed to me that to enable one to appreciate with accuracy, as a psychological speculation, the intrinsic and absolute volume and texture of that brain, — the real rate and measure of those abilities, — it was better not to see or hear him, unless you could see or hear him frequently, and in various modes of exhibition; for undoubtedly there was something in his countenance and bearing so expressive of command, — something even in his conversational language when saying, *parva summissee et modica temperate*, so exquisitely plausible, embodying the likeness at least of a rich truth, the forms at least of a large generalization, in an epithet, — an antithesis, — a pointed phrase, — a broad and peremptory thesis, — and something in his grander forth-putting, when roused by a great subject or occasion exciting his reason and touching his moral sentiments and his heart, so difficult to be resisted, approaching so near, going so far beyond, the higher style of man; that although it left you a very good witness of his power of influencing others, you were not in the best condition immediately to pronounce on the quality or the source of the influence. You saw the flash and heard the peal, and felt the admiration and fear; but from what region it was launched, and by what divinity, and from what Olympian seat, you could not certainly yet tell. To do that you must, if you saw him at all, see him many times; compare him with himself, and with others; follow his dazzling career from his father's

house ; observe from what competitors he won those laurels ; study his discourses, — study them by the side of those of other great men of this country and time, and of other countries and times, conspicuous in the same fields of mental achievement, — look through the crystal water of the style down to the golden sands of the thought ; analyze and contrast intellectual power somewhat ; consider what kind and what quantity of it has been held by students of mind needful in order to great eminence in the higher mathematics, or metaphysics, or reason of the law ; what capacity to analyze, through and through, to the primordial elements of the truths of that science ; yet what wisdom and sobriety, in order to control the wantonness and shun the absurdities of a mere scholastic logic, by systematizing ideas, and combining them, and repressing one by another, thus producing — not a collection of intense and conflicting paradoxes, but — *a code* — scientifically coherent and practically useful, — consider what description and what quantity of mind have been held needful by students of mind in order to conspicuous eminence — long maintained — in statesmanship ; that great practical science, that great philosophical art, whose ends are the existence, happiness, and honor of a nation ; whose truths are to be drawn from the widest survey of man, — of social man, — of the particular race and particular community for which a government is to be made or kept, or a policy to be provided ; “ philosophy in action,” demanding at once or affording place for the highest speculative genius and the most skilful conduct of men and of affairs ; and finally consider what degree and kind of



mental power has been found to be required in order to influence the reason of an audience and a nation by speech, — not magnetizing the mere nervous or emotional nature by an effort of that nature, — but operating on reason by reason — a great reputation in forensic and deliberative eloquence, maintained and advancing for a lifetime, — it is thus that we come to be sure that his intellectual power was as real and as uniform as its very happiest particular display had been imposing and remarkable.

It was not quite so easy to analyze that power, to compare or contrast it with that of other mental celebrities, and show how it differed or resembled, as it was to discern its existence.

Whether he would have excelled as much in other fields of exertion — in speculative philosophy, for example, in any of its departments — is a problem impossible to determine and needless to move. To me it seems quite clear that the whole wealth of his powers, his whole emotional nature, his eloquent feeling, his matchless capacity to affect others' conduct by affecting their practical judgments, could not have been known, could not have been poured forth in a stream so rich and strong and full, could not have so reacted on and aided and winged the mighty intelligence, in any other walk of mind, or life, than that he chose; that in any other there must have been some disjoining of qualities which God had united, — some divorce of pure intellect from the helps or hindrances or companionship of common sense and beautiful genius; and that in any field of speculative ideas, but half of him, or part of him, could have found its sphere. What that part might have been or done, it is vain to inquire.

I have been told that the assertion has been hazarded that he "was great in understanding; deficient in the large reason;" and to prove this distinction he is compared disadvantageously with "Socrates; Aristotle; Plato; Leibnitz; Newton; and Descartes." If this means that he did not devote his mind, such as it was, to their speculations, it is true; but that would not prove that he had not as much "higher reason." Where was Bacon's *higher reason* when he was composing his reading on the Statute of Uses? Had he lost it? or was he only not employing it? or was he employing it on an investigation of law? If it means that he had not as much absolute intellectual power as they, or could not, in their departments, have done what they did, it may be dismissed as a dogma incapable of proof and incapable of refutation; ineffectual as a disparagement; unphilosophical as a comparison.

It is too common with those who come from the reveries of a cloistered speculation to judge a practical life, to say of him, and such as he, that they "do not enlarge universal law, and first principles; and philosophical ideas;" that "they add no new maxim formed by induction out of human history and old thought." In this there is some truth; and yet it totally fails to prove that they do not possess all the intellectual power, and all the specific form of intellectual power, required for such a description of achievement; and it totally fails, too, to prove that they do not use it quite as truly to "the glory of God, and the bettering of man's estate." Whether they possess such power or not, the evidence does not disprove; and it is a pedantic dogmatism, if it is not

a malignant dogmatism, which, *from such evidence*, pronounces that they do not; but it is doubtless so, that by an original bias, by accidental circumstances or deliberate choice, he determined early to devote himself to a practical and great duty, and that was to uphold a recent, delicate, and complex political system, which his studies, his sagacity, taught him, as Solon learned, was the best the people could bear; to uphold it; to adapt its essential principles and its actual organism to the great changes of his time; the enlarging territory; enlarging numbers; sharper antagonisms; mightier passions; a new nationality; and under it, and by means of it, and by a steady government, a wise policy of business, a temperate conduct of foreign relations, to enable a people to develop their resources, and fulfil their mission. This he selected as his work on earth; this his task; this, if well done, his consolation, his joy, his triumph! To this, call it, in comparison with the meditations of philosophy, humble or high, he brought all the vast gifts of intellect, whatever they were, wherewith God had enriched him. And now, do they infer that, because he selected such a work to do he could not have possessed the higher form of intellectual power; or do they say that, because, having selected it, he performed it with a masterly and uniform sagacity and prudence and good sense, using ever the appropriate means to the selected end; that therefore he could not have possessed the higher form of intellectual power? Because all his life long he recognized that his vocation was that of a statesman and a jurist, not that of a thinker and dreamer in the shade, still less of a general agitator; that his duties connected them-

selves mainly with an existing stupendous political order of things, to be kept — to be adapted with all possible civil discretion and temper to the growth of the nation — but by no means to be exchanged for any quantity of amorphous matter in the form of “universal law” or new maxims and great ideas born since the last change of the moon — because he quite habitually spoke the language of the Constitution and the law, not the phraseology of a new philosophy; confining himself very much to inculcating historical, traditional, and indispensable maxims, — neutrality; justice; good faith; observance of fundamental compacts of Union and the like — because it was America — our America — he sought to preserve, and to set forward to her glory — not so much an abstract conception of humanity — because he could combine many ideas; many elements; many antagonisms; in a harmonious, and noble practical politics, instead of fastening on one only, and — that sure sign of small or perverted ability — aggravating it to disease and falsehood, — is it therefore inferred that he had not the larger form of intellectual power?

And this power was not oppressed, but aided and accomplished by exercise the most constant, the most severe, the most stimulant, and by a force of will as remarkable as his genius, and by adequate mental and tasteful culture. How much the eminent greatness it reached is due to the various and lofty competition to which he brought, if he could, the most careful preparation — competition with adversaries *cum quibus certare erat gloriosius, quam omnino adversarios non habere, cum præsertim non modo, nunquam sit aut illorum ab ipso cursus impeditus, aut ab ipsis*

*suus, sed contra semper alter ab altero adjutus, et communicando, et monendo, et favendo*, you may well appreciate.

I claim much, too, under the name of mere mental culture. Remark his style. I allow its full weight to the Horatian maxim, *scribendi rectè sapere est et principium et fons*, and I admit that he had deep and exquisite judgment, largely of the gift of God. But such a style as his is due also to art, to practice, — in the matter of style, incessant, — to great examples of fine writing, turned by the nightly and the daily hand ; to Cicero, through whose pellucid, deep seas the pearl shows distinct and large and near, as if within the arm's reach ; to Virgil, whose magic of words, whose exquisite structure and "rich economy of expression," no other writer ever equalled ; to our English Bible, and especially to the prophetic writings, and of these especially to Ezekiel, of some of whose peculiarities, and among them that of the repetition of single words or phrases, for emphasis and impression, a friend has called my attention to some very striking illustrations ; to Shakspeare, of the style of whose comic dialogue we may, in the language of the great critic, assert "that it is that which in the English nation is never to become obsolete, a certain mode of phraseology so consonant and congenial to analogy, to principles of the language, as to remain settled and unaltered, — a style above grossness, below modish and pedantic forms of speech, where propriety resides ;" to Addison, whom Johnson, Mackintosh, and Macaulay concur to put at the head of all fine writers, for the amenity, delicacy, and unostentatious elegance of his English ; to Pope, pol-

ished, condensed, sententious ; to Johnson and Burke, in whom all the affluence and all the energy of our tongue, in both its great elements of Saxon and Latin, might be exemplified ; to the study and comparison, but not the copying, of authors such as these ; to habits of writing and speaking and conversing on the capital theory of always doing his best, — thus, somewhat, I think, was acquired that remarkable production, “the last work of combined study and genius,” his rich, clear, correct, harmonious, and weighty style of prose.

Beyond these studies and exercises of taste, he had read variously and judiciously. If any public man, or any man, had more thoroughly mastered British constitutional and general history, or the history of British legislation, or could deduce the progress, eras, causes, and hindrances of British liberty in more prompt, exact, and copious detail, or had in his memory, at any given moment, a more ample political biography, or political literature, I do not know him. His library of English history, and of all history, was always rich, select, and catholic ; and I well recollect hearing him, in 1819, while attending a commencement of this College, at an evening party, sketch, with great emphasis and interest of manner, the merits of George Buchanan, the historian of Scotland, — his Latinity and eloquence almost equal to Livy’s, his love of liberty and his genius greater, and his title to credit not much worse. American history and American political literature he had by heart. The long series of influences that trained us for representative and free government ; that other series of influences which moulded us into a united government, — the

colonial era, the age of controversy before the Revolution; every scene and every person in that great tragic action, the age of controversy following the Revolution, and preceding the Constitution, unlike the earlier, in which we divided among ourselves on the greatest questions which can engage the mind of America, — the questions of the existence of a national government, of the continued existence of the State governments, on the partition of powers, on the umpirage of disputes between them, — a controversy on which the destiny of the New World was staked; every problem which has successively engaged our politics, and every name which has figured in them, — the whole stream of our time was open, clear, and present ever to his eye.

I think, too, that, though not a frequent and ambitious citer of authorities, he had read, in the course of the study of his profession or politics, and had meditated all the great writers and thinkers by whom the principles of republican government, and all free governments, are most authoritatively expounded. Aristotle, Cicero, Machiavel, — one of whose discourses on Livy maintains, in so masterly an argument, how much wiser and more constant are the people than the prince, a doctrine of liberty consolatory and full of joy, — Harrington, Milton, Sydney, Locke, I know he had read and weighed.

Other classes of information there were, — partly obtained from books, partly from observation, to some extent referable to his two main employments of politics and law, — by which he was distinguished remarkably. Thus, nobody but was struck with his knowledge of civil and physical geography, and, to a

less extent, of geology and races ; of all the great routes and marts of our foreign, coastwise, and interior commerce, the subjects which it exchanges, the whole circle of industry it comprehends and passes around ; the kinds of our mechanical and manufacturing productions, and their relations to all labor and life ; the history, theories, and practice of agriculture, — our own and that of other countries, — and its relations to government, liberty, happiness, and the character of nations. This kind of information enriched and assisted all his public efforts ; but to appreciate the variety and accuracy of his knowledge, and even the true compass of his mind, you must have had some familiarity with his friendly written correspondence, and you must have conversed with him with some degree of freedom. There, more than in senatorial or forensic debate, gleamed the true riches of his genius, as well as the goodness of his large heart, and the kindness of his noble nature. There, with no longer a great part to discharge, no longer compelled to weigh and measure propositions, to tread the dizzy heights which part the antagonisms of the Constitution, to put aside allusions and illustrations which crowded on his mind in action, but which the dignity of a public appearance had to reject, in the confidence of hospitality, which ever he dispensed as a prince who also was a friend, his memory — one of his most extraordinary faculties, quite in proportion to all the rest — swept free over the readings and labors of more than half a century ; and then, allusions, direct and ready quotations, a passing, mature criticism, sometimes only a recollection of the mere emotions which a glorious passage



or interesting event had once excited, darkening for a moment the face and filling the eye, often an instructive exposition of a current maxim of philosophy or politics, the history of an invention, the recital of some incident casting a new light on some transaction or some institution,—this flow of unstudied conversation, quite as remarkable as any other exhibition of his mind, better than any other, perhaps, at once opened an unexpected glimpse of his various acquirements, and gave you to experience, delightedly, that the “mild sentiments have their eloquence as well as the stormy passions.”

There must be added, next, the element of an impressive character, inspiring regard, trust, and admiration, not unmingled with love. It had, I think, intrinsically a charm such as belongs only to a good, noble, and beautiful nature. In its combination with so much fame, so much force of will, and so much intellect, it filled and fascinated the imagination and heart. It was affectionate in childhood and youth, and it was more than ever so in the few last months of his long life. It is the universal testimony that he gave to his parents, in largest measure, honor, love, obedience; that he eagerly appropriated the first means which he could command to relieve the father from the debts contracted to educate his brother and himself; that he selected his first place of professional practice that he might soothe the coming on of his old age; that all through life he neglected no occasion—sometimes when leaning on the arm of a friend, alone, with faltering voice, sometimes in the presence of great assemblies, where the tide of general emotion made it graceful—to express his “affec-

tionate veneration of him who reared and defended the log cabin in which his elder brothers and sisters were born, against savage violence and destruction, cherished all the domestic virtues beneath its roof, and, through the fire and blood of some years of revolutionary war, shrank from no danger, no toil, no sacrifice, to serve his country, and to raise his children to a condition better than his own."

Equally beautiful was his love of all his kindred and of all his friends. When I hear him accused of selfishness, and a cold, bad nature, I recall him lying sleepless all night, not without tears of boyhood, conferring with Ezekiel how the darling desire of both hearts should be compassed, and he, too, admitted to the precious privileges of education; courageously pleading the cause of both brothers in the morning; prevailing by the wise and discerning affection of the mother; suspending his studies of the law, and registering deeds and teaching school to earn the means, for both, of availing themselves of the opportunity which the parental self-sacrifice had placed within their reach; loving him through life, mourning him when dead, with a love and a sorrow very wonderful, passing the sorrow of woman; I recall the husband, the father of the living and of the early departed, the friend, the counsellor of many years, and my heart grows too full and liquid for the refutation of words.

His affectionate nature, craving ever friendship, as well as the presence of kindred blood, diffused itself through all his private life, gave sincerity to all his hospitalities, kindness to his eye, warmth to the pressure of his hand; made his greatness and genius

unbend themselves to the playfulness of childhood, flowed out in graceful memories indulged of the past or the dead, of incidents when life was young and promised to be happy, — gave generous sketches of his rivals, — the high contention now hidden by the handful of earth, — hours passed fifty years ago with great authors, recalled for the vernal emotions which then they made to live and revel in the soul. And from these conversations of friendship, no man — no man, old or young — went away to remember one word of profaneuess, one allusion of indelicacy, one impure thought, one unbelieving suggestion, one doubt cast on the reality of virtue, of patriotism, of enthusiasm, of the progress of man, — one doubt cast on righteousness, or temperance, or judgment to come.

Every one of his tastes and recreations announced the same type of character. His love of agriculture, of sports in the open air, of the outward world in starlight and storms, and sea and boundless wilderness, — partly a result of the influences of the first fourteen years of his life, perpetuated like its other affections and its other lessons of a mother's love, — the Psalms, the Bible, the stories of the wars, — partly the return of an unsophisticated and healthful nature, tiring, for a space, of the idle business of political life, its distinctions, its artificialities, to employments, to sensations which interest without agitating the universal race alike, as God has framed it, in which one feels himself only a man, fashioned from the earth, set to till it, appointed to return to it, yet made in the image of his Maker, and with a spirit that shall not die, — all displayed a man whom

the most various intercourse with the world, the longest career of strife and honors, the consciousness of intellectual supremacy, the coming in of a wide fame, constantly enlarging, left, as he was at first, natural, simple, manly, genial, kind.

You will all concur, I think, with a learned friend who thus calls my attention to the resemblance of his character, in some of these particulars, to that of Walter Scott: —

“Nature endowed both with athletic frames, and a noble presence; both passionately loved rural life, its labors and sports; possessed a manly simplicity, free from all affectation, genial and social tastes, full minds, and happy elocution; both stamped themselves with indelible marks upon the age in which they lived; both were laborious, and always with high and virtuous aims, ardent in patriotism, overflowing with love of ‘kindred blood,’ and, above all, frank and unostentatious Christians.”

I have learned by evidence the most direct and satisfactory, that in the last months of his life, the whole affectionateness of his nature; his consideration of others; his gentleness; his desire to make them happy and to see them happy, seemed to come out in more and more beautiful and habitual expression than ever before. The long day's public tasks were felt to be done; the cares, the uncertainties, the mental conflicts of high place, were ended; and he came home to recover himself for the few years which he might still expect would be his before he should go hence to be here no more. And there, I am assured and fully believe, no unbecoming regrets pursued him; no discontent, as for injustice suffered or expect-

tations unfulfilled ; no self-reproach for any thing done or any thing omitted by himself ; no irritation, no peevishness unworthy of his noble nature ; but instead, love and hope for his country, when she became the subject of conversation ; and for all around him, the dearest and most indifferent, for all breathing things about him, the overflow of the kindest heart growing in gentleness and benevolence ; paternal, patriarchal affections, seeming to become more natural, warm, and communicative every hour. Softer and yet brighter grew the tints on the sky of parting day ; and the last lingering rays, more even than the glories of noon, announced how divine was the source from which they proceeded ; how incapable to be quenched ; how certain to rise on a morning which no night should follow.

Such a character was made to be loved. It was loved. Those who knew and saw it in its hour of calm — those who could repose on that soft green — loved him. His plain neighbors loved him ; and one said, when he was laid in his grave, “ How lonesome the world seems ! ” Educated young men loved him. The ministers of the gospel, the general intelligence of the country, the masses afar off, loved him. True, they had not found in his speeches, read by millions, so much adulation of the people ; so much of the music which robs the public reason of itself ; so many phrases of humanity and philanthropy ; and some had told them he was lofty and cold, — solitary in his greatness ; but every year they came nearer and nearer to him, and as they came nearer, they loved him better ; they heard how tender the son had been, the husband, the brother, the father, the friend, and

neighbor ; that he was plain, simple, natural, generous, hospitable, — the heart larger than the brain ; that he loved little children and revered God, the Scriptures, the Sabbath-day, the Constitution, and the law, — and their hearts clave unto him. More truly of him than even of the great naval darling of England might it be said, that “his presence would set the church-bells ringing, and give school-boys a holiday, — would bring children from school and old men from the chimney-corner, to gaze on him ere he died.” The great and unavailing lamentation first revealed the deep place he had in the hearts of his countrymen.

You are now to add to this his extraordinary power of influencing the convictions of others by speech, and you have completed the survey of the means of his greatness. And here, again, I begin, by admiring an aggregate, made up of excellences and triumphs, ordinarily deemed incompatible. He spoke with consummate ability to the bench, and yet exactly as, according to every sound canon of taste and ethics, the bench ought to be addressed. He spoke with consummate ability to the jury, and yet exactly as, according to every sound canon, that totally different tribunal ought to be addressed. In the halls of congress, before the people assembled for political discussion in masses, before audiences smaller and more select, assembled for some solemn commemoration of the past or of the dead, — in each of these, again, his speech, of the first form of ability, was exactly adapted, also, to the critical proprieties of the place ; each achieved, when delivered, the most instant and specific success of eloquence, — some of them in a

splendid and remarkable degree; and yet, stranger still, when reduced to writing, as they fell from his lips, they compose a body of reading, — in many volumes, — solid, clear, rich, and full of harmony, — a classical and permanent political literature.

And yet all these modes of his eloquence, exactly adapted each to its stage and its end, were stamped with his image and superscription, identified by characteristics incapable to be counterfeited, and impossible to be mistaken. The same high power of reason, intent in every one to explore and display some truth; some truth of judicial, or historical, or biographical fact; some truth of law, deduced by construction, perhaps, or by illation; some truth of policy, for want whereof a nation, generations, may be the worse, — reason seeking and unfolding truth; the same tone, in all, of deep earnestness, expressive of strong desire that that which he felt to be important should be accepted as true, and spring up to action; the same transparent, plain, forcible, and direct speech, conveying his exact thought to the mind, — not something less or more; the same sovereignty of form, of brow, and eye, and tone, and manner, — everywhere the intellectual king of men, standing before you, — that same marvellousness of qualities and results, residing, I know not where, in words, in pictures, in the ordering of ideas, in felicities indescribable, by means whereof, coming from his tongue, all things seemed mended, — truth seemed more true, probability more plausible, greatness more grand, goodness more awful, every affection more tender than when coming from other tongues, — these are, in all, his eloquence. But sometimes it

became individualized, and discriminated even from itself; sometimes place and circumstances, great interests at stake, a stage, an audience fitted for the highest historic action, a crisis, personal or national, upon him, stirred the depths of that emotional nature, as the anger of the goddess stirs the sea on which the great epic is beginning; strong passions, themselves kindled to intensity, quickened every faculty to a new life; the stimulated associations of ideas brought all treasures of thought and knowledge within command, the spell, which often held his imagination fast, dissolved, and she arose and gave him to choose of her urn of gold; earnestness became vehemence, the simple, perspicuous, measured, and direct language became a headlong, full, and burning tide of speech; the discourse of reason, wisdom, gravity, and beauty, changed to that *Δεινότης*, that rarest consummate eloquence, — grand, rapid, pathetic, terrible; the *aliquid immensum infinitumque* that Cicero might have recognized; the master triumph of man in the rarest opportunity of his noblest power.

Such elevation above himself, in congressional debate, was most uncommon. Some such there were in the great discussions of executive power following the removal of the deposits, which they who heard them will never forget, and some which rest in the tradition of hearers only. But there were other fields of oratory on which, under the influence of more uncommon springs of inspiration, he exemplified, in still other forms, an eloquence in which I do not know that he has had a superior among men. Addressing masses by tens of thousands in the open air, on the urgent political questions of the day, or



designated to lead the meditations of an hour devoted to the remembrance of some national era, or of some incident marking the progress of the nation, and lifting him up to a view of what is, and what is past, and some indistinct revelation of the glory that lies in the future, or of some great historical name, just borne by the nation to his tomb, — we have learned that then and there, at the base of Bunker Hill, before the corner-stone was laid, and again when from the finished column the centuries looked on him ; in Faneuil Hall, mourning for those with whose spoken or written eloquence of freedom its arches had so often resounded ; on the rock of Plymouth ; before the capitol, of which there shall not be one stone left on another, before his memory shall have ceased to live, — in such scenes, unfettered by the laws of forensic or parliamentary debate ; multitudes uncounted lifting up their eyes to him ; some great historical scenes of America around ; all symbols of her glory and art and power and fortune there ; voices of the past, not unheard ; shapes beckoning from the future, not unseen, — sometimes that mighty intellect, borne upwards to a height and kindled to an illumination which we shall see no more, wrought out, as it were, in an instant, a picture of vision, warning, prediction ; the progress of the nation ; the contrasts of its eras ; the heroic deaths ; the motives to patriotism ; the maxims and arts imperial by which the glory has been gathered and may be heightened, — wrought out, in an instant, a picture to fade only when all record of our mind shall die.

In looking over the public remains of his oratory, it is striking to remark how, even in that most sober

and massive understanding and nature, you see gathered and expressed the characteristic sentiments and the passing time of our America. It is the strong old oak which ascends before you ; yet our soil, our heaven, are attested in it as perfectly as if it were a flower that could grow in no other climate and in no other hour of the year or day. Let me instance in one thing only. It is a peculiarity of some schools of eloquence that they embody and utter, not merely the individual genius and character of the speaker, but a national consciousness, — a national era, a mood, a hope, a dread, a despair, — in which you listen to the spoken history of the time. There is an eloquence of an expiring nation, such as seems to sadden the glorious speech of Demosthenes ; such as breathes grand and gloomy from the visions of the prophets of the last days of Israel and Judah ; such as gave a spell to the expression of Grattan and of Kossuth, — the sweetest, most mournful, most awful of the words which man may utter, or which man may hear, — the eloquence of a perishing nation. There is another eloquence, in which the national consciousness of a young or renewed and vast strength, of trust in a dazzling, certain, and limitless future, an inward glorying in victories yet to be won, sounds out as by voice of clarion, challenging to contest for the highest prize of earth ; such as that in which the leader of Israel in its first days holds up to the new nation the Land of Promise ; such as that which in the well imagined speeches scattered by Livy over the history of the “ majestic series of victories ” speaks the Roman consciousness of growing aggrandizement which should subject the world :

such as that through which, at the tribunes of her revolution, in the bulletins of her rising soldier, France told to the world her dream of glory. And of this kind somewhat is ours; cheerful, hopeful, trusting, as befits youth and spring; the eloquence of a State beginning to ascend to the first class of power, eminence, and consideration, and conscious of itself. It is to no purpose that they tell you it is in bad taste; that it partakes of arrogance and vanity; that a true national good breeding would not know, or seem to know, whether the nation is old or young; whether the tides of being are in their flow or ebb; whether these coursers of the sun are sinking slowly to rest, wearied with a journey of a thousand years, or just bounding from the Orient unbreathed. Higher laws than those of taste determine the consciousness of nations. Higher laws than those of taste determine the general forms of the expression of that consciousness. Let the downward age of America find its orators and poets and artists to erect its spirit, or grace and soothe its dying; be it ours to go up with Webster to the rock, the monument, the capitol, and bid "the distant generations hail!"

In this connection remark, somewhat more generally, to how extraordinary an extent he had by his acts, words, thoughts, or the events of his life, associated himself for ever in the memory of all of us, with every historical incident, or at least with every historical epoch; with every policy; with every glory; with every great name and fundamental institution, and grand or beautiful image, which are peculiarly and properly American. Look backwards to the planting of Plymouth and Jamestown; to the vari-

ous scenes of colonial life in peace and war ; to the opening and march and close of the revolutionary drama, — to the age of the Constitution ; to Washington and Franklin and Adams and Jefferson ; to the whole train of causes from the Reformation downwards, which prepared us to be Republicans ; to that other train of causes which led us to be Unionists, — look round on field, workshop, and deck, and hear the music of labor rewarded, fed, and protected, — look on the bright sisterhood of the States, each singing as a seraph in her motion, yet blending in a common beam and swelling a common harmony, — and there is nothing which does not bring him by some tie to the memory of America.

We seem to see his form and hear his deep grave speech everywhere. By some felicity of his personal life ; by some wise, deep, or beautiful word spoken or written ; by some service of his own, or some commemoration of the services of others, it has come to pass that “our granite hills, our inland seas and prairies, and fresh, unbounded, magnificent wilderness ;” our encircling ocean ; the resting-place of the Pilgrims ; our new-born sister of the Pacific ; our popular assemblies ; our free schools ; all our cherished doctrines of education, and of the influence of religion, and material policy and law, and the Constitution, give us back his name. What American landscape will you look on ; what subject of American interest will you study ; what source of hope or of anxiety, as an American, will you acknowledge that it does not recall him ?

I have reserved, until I could treat it as a separate and final topic, the consideration of the morality of

Mr. Webster's public character and life. To his true fame, — to the kind and degree of influence which that large series of great actions and those embodied thoughts of great intellect are to exert on the future, — this is the all-important consideration. In the last speech which he made in the Senate, — the last of those which he made, as he said, for the Constitution and the Union, and which he might have commended, as Bacon his name and memory "to men's charitable speeches, to foreign nations, and the next ages," — yet with a better hope he asserted, "The ends I aim at shall be those of my Country, my God, and Truth." Is that praise his?

Until the seventh day of March, 1850, I think it would have been accorded to him by an almost universal acclaim, as general and as expressive of profound and intelligent conviction, and of enthusiasm, love, and trust, as ever saluted conspicuous statesmanship, tried by many crises of affairs in a great nation, agitated ever by parties, and wholly free.

That he had admitted into his heart a desire to win, by deserving them, the highest forms of public honor, many would have said; and they who loved him most fondly, and felt the truest solicitude that he should carry a good conscience and pure fame brightening to the end, would not have feared to concede. For he was not ignorant of himself; and he therefore knew that there was nothing within the Union, Constitution, and Law, too high or too large or too difficult for him. He believed that his natural or his acquired abilities, and his policy of administration, would contribute to the true glory of America; and he held no theory of ethics which required

him to disparage, to suppress, to ignore vast capacities of public service merely because they were his own. If the fleets of Greece were assembling, and her tribes buckling on their arms from Laconia to Mount Olympus, from the promontory of Sunium to the isle farthest to the west, and the great epic action was opening, it was not for him to feign insanity or idiocy, to escape the perils and the honor of command. But that all this in him had been ever in subordination to a principled and beautiful public virtue; that every sectional bias, every party tie, as well as every personal aspiring, had been uniformly held by him for nothing against the claims of country; that nothing lower than country seemed worthy enough — nothing smaller than country large enough — for that great heart, would not have been questioned by a whisper. Ah! if at any hour before that day he had died, how would then the great procession of the people of America — the great triumphal procession of the dead — have moved onward to his grave — the sublimity of national sorrow, not contrasted, not outraged by one feeble voice of calumny!

In that antecedent public life, embracing from 1812 to 1850 — a period of thirty-eight years — I find grandest proofs of the genuineness and comprehensiveness of his patriotism, and the boldness and manliness of his public virtue. He began his career of politics as a Federalist. Such was his father — so beloved and revered; such his literary and professional companions; such, although by no very decisive or certain preponderance, the community in which he was bred and was to live. Under that name of party he entered Congress, personally, and by

connection, opposed to the war, which was thought to bear with such extreme sectional severity upon the North and East. And yet one might almost say that the only thing he imbibed from Federalists or Federalism was love and admiration for the Constitution as the means of union. That passion he did inherit from them ; that he cherished.

He came into Congress, opposed, as I have said, to the war ; and behold him, if you would judge of the quality of his political ethics, in opposition. Did those eloquent lips, at a time of life when vehemence and imprudence are expected, if ever, and not ungraceful, let fall ever one word of faction ? Did he ever deny one power to the general government, which the soundest expositors of all creeds have allowed it ? Did he ever breathe a syllable which could excite a region, a State, a family of States, against the Union, — which could hold out hope or aid to the enemy ? — which sought or tended to turn back or to chill the fiery tide of a new and intense nationality, then bursting up, to flow and burn till all things appointed to America to do shall be fulfilled ? These questions, in their substance, he put to Mr. Calhoun, in 1838, in the Senate, and that great man — one of the authors of the war — just then, only then, in relations unfriendly to Mr. Webster, and who had just insinuated a reproach on his conduct in the war, was silent. Did Mr. Webster content himself even with objecting to the details of the mode in which the administration waged the war ? No, indeed. Taught by his constitutional studies that the Union was made in part for commerce, familiar with the habits of our long line of coast,

knowing well how many sailors and fishermen, driven from every sea by embargo and war, burned to go to the gun-deck and avenge the long wrongs of England on the element where she had inflicted them, his opposition to the war manifested itself by teaching the nation that the deck was her field of fame. *Non illi imperium pelagi sævumque tridentem, sed nobis, sorte datum.*

But I might recall other evidence of the sterling and unusual qualities of his public virtue. Look in how manly a sort he — not merely conducted a particular argument or a particular speech, but in how manly a sort, in how high a moral tone, he uniformly dealt with the mind of his country. Politicians got an advantage of him for this while he lived ; let the dead have just praise to-day. Our public life is one long electioneering, and even Burke tells you that at popular elections the most rigorous casuists will remit something of their severity. But where do you find him flattering his countrymen, indirectly or directly, for a vote ? On what did he ever place himself but good counsels and useful service ? His arts were manly arts, and he never saw a day of temptation when he would not rather fall than stand on any other. Who ever heard that voice cheering the people on to rapacity, to injustice, to a vain and guilty glory ? Who ever saw that pencil of light hold up a picture of manifest destiny to dazzle the fancy ? How anxiously rather, in season and out, by the energetic eloquence of his youth, by his counsels bequeathed on the verge of a timely grave, he preferred to teach that by all possible acquired sobriety of mind, by asking reverently of the past, by obedience to the law, by habits of patient and legitimate labor,



by the cultivation of the mind, by the fear and worship of God, we educate ourselves for the future that is revealing. Men said he did not sympathize with the masses, because his phraseology was rather of an old and simple school, rejecting the nauseous and vain repetitions of humanity and philanthropy, and progress and brotherhood, in which may lurk heresies so dreadful, of socialism or disunion ; in which a selfish, hollow, and shallow ambition may mask itself, — the siren song which would lure the pilot from his course. But I say that he did sympathize with them ; and, because he did, he came to them not with adulation, but with truth ; not with words to please, but with measures to serve them ; not that his popular sympathies were less, but that his personal and intellectual dignity and his public morality were greater.

And on the seventh day of March, and down to the final scene, might he not still say as ever before, that “ all the ends he aimed at were his country’s, his God’s, and truth’s.” He declared, “ I speak to-day for the preservation of the Union. Hear me for my cause. I speak to-day out of a solicitous and anxious heart for the restoration to the country of that quiet and harmony which make the blessings of this Union so rich and so dear to us all. These are the motives and the sole motives that influence me.” If in that declaration he was sincere, was he not bound in conscience to give the counsels of that day ? What were they ? What was the single one for which his political morality was called in question ? Only that a provision of the Federal Constitution, ordaining the restitution of fugitive slaves, should be executed according to its true meaning. This only. And might

he not in good conscience keep the Constitution in this part, and in all, for the preservation of the Union?

Under his oath to support it, and to support it all, and with his opinions of that duty so long held, proclaimed uniformly, in whose vindication on some great days, he had found the chief opportunity of his personal glory, might he not, in good conscience support it, and all of it, even if he could not — and no human intelligence could certainly — know that the extreme evil would follow, in immediate consequence, its violation? Was it so recent a doctrine of his that the Constitution was obligatory upon the national and individual conscience, that you should ascribe it to sudden and irresistible temptation? Why, what had he, quite down to the seventh of March, that more truly individualized him? — what had he more characteristically his own? — wherewithal had he to glory more or other than all beside, than this very doctrine of the sacred and permanent obligation to support each and all parts of that great compact of union and justice? Had not this been his distinction, his *speciality*, — almost the foible of his greatness, — the darling and master passion ever? Consider that that was a sentiment which had been part of his conscious nature for more than sixty years; that from the time he bought his first copy of the Constitution on the handkerchief, and revered parental lips had commended it to him, with all other holy and beautiful things, along with lessons of reverence to God, and the belief and love of His Scriptures, along with the doctrine of the catechism, the unequalled music of Watts, the name of Washington, — there had never been an hour that he had not held it the master work

of man, — just in its ethics, consummate in its practical wisdom, paramount in its injunctions; that every year of life had deepened the original impression; that as his mind opened, and his associations widened, he found that every one for whom he felt respect, instructors, theological and moral teachers, his entire party connection, the opposite party, and the whole country, so held it, too; that its fruits of more than half a century of union, of happiness, of renown, bore constant and clear witness to it in his mind, and that it chanced that certain emergent and rare occasions had devolved on him to stand forth to maintain it, to vindicate its interpretation, to vindicate its authority, to unfold its workings and uses; that he had so acquitted himself of that opportunity as to have won the title of its Expounder and Defender, so that his proudest memories, his most prized renown, referred to it, and were entwined with it — and say whether with such antecedents, readiness to execute, or disposition to evade, would have been the hardest to explain; likeliest to suggest the surmise of a new temptation! He who knows any thing of man knows that his vote for beginning the restoration of harmony by keeping the whole Constitution, was determined, was necessitated, by the great law of sequences, — a great law of cause and effect, running back to his mother's arms, as resistless as the law which moves the system about the sun, — and that he must have given it, although it had been opened to him in vision, that within the next natural day his "eyes should be turned to behold for the last time the sun in heaven."

To accuse him in that act of "sinning against his

own conscience" is to charge one of these things: either that no well-instructed conscience can approve and maintain the Constitution, and each of its parts, and therefore that his, by inference, did not approve it; or that he had never employed the proper means of instructing his conscience, and therefore its approval, if it were given, was itself an immorality. The accuser must assert one of these propositions. He will not deny, I take it for granted, that the conscience requires to be instructed by political teaching, in order to guide the citizen, or the public man, aright, in the matter of political duties. Will he say that the moral sentiments alone, whatever their origin — whether factitious and derivative, or parcel of the spirit of the child and born with it — that they alone, by force of strict and mere ethical training, become qualified to pronounce authoritatively whether the Constitution, or any other vast and complex civil policy, as a whole, whereby a nation is created and preserved, ought to have been made, or ought to be executed? Will he venture to tell you, that if your conscience approves the Union, the Constitution in all its parts, and the law which administers it, that you are bound to obey and uphold them; and if it disapproves, you must, according to your measure, and in your circles of agitation, disobey and subvert them, and leave the matter there — forgetting or designedly omitting to tell you also that you are bound, in all good faith and diligence to resort to studies and to teachers *ab extra* — in order to determine whether the conscience *ought* to approve or disapprove the Union, the Constitution, and the law, *in view of the whole aggregate of their nature and*

*fruits?* Does he not perfectly know that this moral faculty, however trained, by mere moral institution, specifically directed to that end, to be tender, sensitive, and peremptory, is totally unequal to decide on any action or any thing, but the very simplest; that which produces the most palpable and immediate result of unmixed good, or unmixed evil; and that when it comes to judge on the great mixed cases of the world, where the consequences are numerous, their development slow and successive, the light and shadow of a blended and multiform good and evil spread out on the lifetime of a nation, that then morality must borrow from history; from politics; from reason operating on history and politics, her elements of determination? I think he must agree to this. He must agree, I think, that to single out one provision in a political system of many parts and of elaborate interdependence, to take it all alone, exactly as it stands, and without attention to its origin and history; the necessities, morally resistless, which prescribed its introduction into the system, the unmeasured good in other forms which its allowance buys, the unmeasured evil in other forms which its allowance hinders — without attention to these, to present it in all “the nakedness of a metaphysical abstraction” to the mere sensibilities; and ask if it is not inhuman, and if they answer according to their kind, that it is, then to say that the problem is solved, and the right of disobedience is made clear — he must agree that this is not to exalt reason and conscience, but to outrage both. He must agree that although the supremacy of conscience is absolute whether the decision be right or wrong, that is, *according to the real qualities*

*of things or not*, that there lies back of the actual conscience, and its actual decisions, the great anterior duty of having a conscience that *shall decide according to the real qualities of things*; that to this vast attainment some adequate knowledge of the real qualities of the things which are to be subjected to its inspection is indispensable; that if the matter to be judged of is any thing so large, complex, and conventional as the duty of the citizen, or the public man, to the State; the duty of preserving or destroying the order of things in which we are born; the duty of executing or violating one of the provisions of organic law which the country, having a wide and clear view before and after, had deemed a needful instrumental means for the preservation of that order; that then it is not enough to relegate the citizen, or the public man, to a higher law, and an interior illumination, and leave him there. Such discourse is "as the stars, which give so little light because they are so high." He must agree that in such case morality itself should go to school. There must be science as well as conscience, as old Fuller has said. She must herself learn of history; she must learn of politics; she must consult the builders of the State, the living and the dead, to know its value, its aspects in the long run, on happiness and morals; its dangers; the means of its preservation; the maxims and arts imperial of its glory. To fit her to be the mistress of civil life, he will agree that she must come out for a space from the interior round of emotions, and subjective states and contemplations, and introspection, "cloistered, unexercised, unbreathed," — and, carrying with her nothing but her tenderness,

her scrupulosity, and her love of truth, survey the objective realities of the State; ponder thoughtfully on the complications, and impediments, and antagonisms which make the noblest politics but an aspiring, an approximation, a compromise, a type, a shadow of good to come, "the buying of great blessings at great prices," — and there learn civil duty *secundum subjectam materiam*. "Add to your virtue knowledge" — or it is no virtue.

And now, is he who accuses Mr. Webster of "sinning against his own conscience," quite sure that he *knows*, that that conscience, — well instructed by profoundest political studies, and thoughts of the reason; well instructed by an appropriate moral institution sedulously applied, did not commend and approve his conduct to himself? Does he know that he had not anxiously and maturely studied the ethics of the Constitution, and *as a question of ethics*, but of ethics applied to a stupendous problem of practical life, and had not become satisfied that they were right? Does he know that he had not done this, when his faculties were all at their best; and his motives under no suspicion? May not such an inquirer, for aught you can know, may not that great mind have verily and conscientiously thought that he had learned in that investigation many things? May he not have thought that he learned, that the duty of the inhabitants of the free States, in that day's extremity, to the republic, the duty at all events of statesmen to the republic, is a little too large, and delicate, and difficult, to be all comprehended in the single emotion of compassion for one class of persons in the commonwealth, or in carrying out

the single principle of abstract, and natural, and violent justice to one class? May he not have thought that he found there some stupendous exemplifications of what we read of, in books of casuistry, the "dialectics of conscience," as conflicts of duties; such things as the conflicts of the greater with the less; conflicts of the attainable with the visionary; conflicts of the real with the seeming; and may he not have been soothed to learn that the evil which he found in this part of the Constitution was the least of two; was unavoidable; was compensated; was justified; was commanded, as by a voice from the Mount, by a more exceeding and enduring good? May he not have thought that he had learned, that the grandest, most difficult, most pleasing to God, of the achievements of secular wisdom and philanthropy, is the building of a State; that of the first class of grandeur and difficulty, and acceptableness to Him, in this kind, was the building of our own: that unless everybody of consequence enough to be heard of in the age and generation of Washington, — unless that whole age and generation were in a conspiracy to cheat themselves, and history, and posterity, a certain policy of concession and forbearance of region to region, was indispensable to rear that master work of man; and that that same policy of concession and forbearance is as indispensable, more so, now, to afford a rational ground of hope for its preservation? May he not have thought that he had learned that the obligation, if such in any sense you may call it, of one State to allow itself to become an asylum for those flying from slavery into another State, was an obligation of benevolence, of humanity



only, not of justice ; that it must, therefore, on ethical principles, be exercised under all the limitations which regulate and condition the benevolence of States ; that therefore each is to exercise it in strict subordination to its own interests, estimated by a wise statesmanship, and a well-instructed public conscience ; that benevolence itself, even its ministrations of mere good-will, is an affair of measure and of proportions ; and must choose sometimes between the greater good and the less ; that if, to the highest degree, and widest diffusion of human happiness, a Union of States such as ours, some free, some not so, was necessary ; and to such Union the Constitution was necessary ; and to such a Constitution this clause was necessary, humanity itself prescribes it, and presides in it ? May he not have thought that he learned that there are proposed to humanity in this world many fields of beneficent exertion ; some larger, some smaller, some more, some less expensive and profitable to till ; that among these it is always lawful, and often indispensable to make a choice ; that sometimes, to acquire the right or the ability to labor in one, it is needful to covenant not to invade another ; and that such covenant, in partial restraint, rather in reasonable direction of philanthropy, is good in the forum of conscience ; and setting out with these very elementary maxims of practical morals, may he not have thought that he learned from the careful study of the facts of our history and opinions, that to acquire the power of advancing the dearest interests of man, through generations countless, by that unequalled security of peace and progress, the Union ; the power of advancing the interest

of each State, each region, each relation — the slave and the master; the power of subjecting a whole continent all astir, and on fire with the emulation of young republics; of subjecting it, through ages of household calm, to the sweet influences of Christianity, of culture, of the great, gentle, and sure reformer, time; that to enable us to do this, to enable us to grasp this boundless and ever-renewing harvest of philanthropy, it would have been a good bargain — that humanity herself would have approved it — to have bound ourselves never so much as to look across the line into the enclosure of Southern municipal slavery; certainly never to enter it; still less, still less, to

“ Pluck its berries harsh and crude,  
And with forced fingers rude  
Shatter its leaves before the mellowing year.”

Until the accuser who charges him, now that he is in his grave, with “having sinned against his conscience,” will assert that the conscience of a public man may not, must not, be instructed by profound knowledge of the vast subject-matter with which public life is conversant — even as the conscience of the mariner may be and must be instructed by the knowledge of navigation; and that of the pilot by the knowledge of the depths and shallows of the coast; and that of the engineer of the boat and the train, by the knowledge of the capacities of his mechanism to achieve a proposed velocity; and will assert that he is certain that the consummate science of our great statesman *was felt by himself to prescribe to his morality* another conduct than that which he adopted, and that he thus consciously outraged that “sense of duty which

pursues us ever," — is he not inexcusable, whoever he is, that so judges another?

But it is time that this eulogy was spoken. My heart goes back into the coffin there with him, and I would pause. I went—it is a day or two since—alone, to see again the home which he so dearly loved, the chamber where he died, the grave in which they laid him — all habited as when

" His look drew audience still as night,  
Or summer's noontide air,"

till the heavens be no more. Throughout that spacious and calm scene all things to the eye showed at first unchanged. The books in the library, the portraits, the table at which he wrote, the scientific culture of the land, the course of agricultural occupation, the coming-in of harvests, fruit of the seed his own hand had scattered, the animals and implements of husbandry, the trees planted by him in lines, in copses, in orchards, by thousands, the seat under the noble elm on which he used to sit to feel the south-west wind at evening, or hear the breathings of the sea, or the not less audible music of the starry heavens, all seemed at first unchanged. The sun of a bright day from which, however, something of the fervors of midsummer were wanting, fell temperately on them all, filled the air on all sides with the utterances of life, and gleamed on the long line of ocean. Some of those whom on earth he loved best, still were there. The great mind still seemed to preside; the great presence to be with you; you might expect to hear again the rich and playful tones of the voice of the old hospitality. Yet a moment

more, and all the scene took on the aspect of one great monument, inscribed with his name, and sacred to his memory. And such it shall be in all the future of America! The sensation of desolateness, and loneliness, and darkness, with which you see it now, will pass away; the sharp grief of love and friendship will become soothed; men will repair thither as they are wont to commemorate the great days of history; the same glance shall take in, and the same emotions shall greet and bless, the Harbor of the Pilgrims and the Tomb of Webster.

SPEECH BEFORE THE YOUNG MEN'S WHIG  
CLUB OF BOSTON, ON THE ANNEXATION  
OF TEXAS.

DELIVERED IN THE TREMONT TEMPLE, AUGUST 19, 1844.

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[The meeting having been called to order by Charles Francis Adams, President of the Club, Mr. Choate was introduced. He came forward and spoke as follows : ]

MR. PRESIDENT AND GENTLEMEN, —

I regard the approaching election as one of more interest to the whole country, and to the States of the North in a preëminent degree, than any which has preceded it. The peculiarity of this election is, that while it involves all the questions of mere policy, which are ever suspended on the choice of a president, — questions of the currency, of the lands, of internal improvements, of protection, of foreign policy, and all else ; while it involves in its broadest extent the question, *how shall the nation be governed?* — it involves — the first presidential election that has done so — the further, more fundamental, and more startling question, *what shall the nation be ; who shall the nation be ; where shall the nation be ;* who, what, and where, is, and is to be, our country itself? Is it to be any longer the Union which we have known ; which we have loved, to which we have been accustomed? — or is it to be dissolved altogether? or is it

to be a new one, enlarged by the annexation of a territory out of which forty States of the size of Massachusetts might be constructed; a territory not appended equally to the East, the West, the Centre, and the South; not appended equally to the slave States and the free States; to the agricultural and the planting; to the localities of free trade and the localities of protection; not so appended as to work an equal and impartial enlargement and assistance to each one of those various and heterogeneous elements of interest and sentiment and position out of whose struggle comes the peace, out of whose dissonance comes the harmony, of our system;—not so, but appended in one vast accession to one side, one region, one interest, of the many which compose the State; so appended as to disturb the relations of the parts; to change the seat of the centre; to counteract the natural tendencies of things; to substitute a revolution of violent and morbid policy in place of the slow and safe action of nature, habit, and business, under a permanent law; so appended, in short, as not merely to make a small globe into a larger one, but to alter the whole figure of the body; to vary the shape and the range of its orbit; to launch it forth on a new highway of the heavens; to change its day and night, its seed-time and harvest, its solar year, the great cycle of its duration itself.

This it is that gives to this election an interest peculiar and transcendent. It is a question, not what the policy of the nation shall be,—but what, who, where, *shall the nation be!* It is not a question of national politics, but of national identity. For even if the Union shall survive the annexation of

Texas, and the discussions of annexation, it will be a new, a changed, another Union, — not this. It will be changed, not by time, which changes all things, — man, monuments, states, the great globe itself; not by time, but by power; not by imperceptible degrees, but in a day; not by a successive growth, unfolded and urged forward by an organic law, an implanted force, a noiseless and invisible nutrition from beneath and from without, of which every region, every State, takes the risk; but by the direct action of government — arbitrary, violent, and unjust — of which no part has ever agreed to take the risk. It is to this element in the present election, the annexation of Texas, that I wish to-night, passing over all the rest, to direct your attention.

I shall consume but little of the time of such an assembly as this, in attempting to prove that the success or failure of this enterprise of annexation is suspended — for the present — perhaps for our day — on the result of the pending election. You, at least, have no doubt on this point. Is there one man now before me, in the first place, who does not believe, or who does not greatly and rationally fear, that if Mr. Polk is the next president, Texas will come in — under the unostentatious, and not so very terrible form of *a territory*, of course, in the first instance — in twelve months, unless some great and extraordinary interposition of the people should prevent it? Does any one — if such an one may be supposed among you to-night — who, opposed to Texas, as you are, has yet a hankering for Mr. Polk, and means to vote for him, if he can obtain the consent of his conscience — who wants to vote for Mr. Polk, but shrinks from the

idea of promoting annexation — does any such one say, Oh, it doesn't follow that if he is chosen, Texas will be annexed? Be it so; but does it not increase the chances of annexation? Does it not tremendously enhance the difficulties of resistance? Does it not at least expose you to the terrible hazard of being compelled, hereafter, to encounter, by memorial, by convention, by remonstrance, by extreme and extraordinary action, that which you can now, peaceably, innocently, seasonably anticipate and prevent at the polls? Does not every stock-jobber, and land-jobber, and flesh-jobber, who clamors for annexation, understand perfectly, that he aids his objects by choosing Mr. Polk? Are not those honest gentlemen all on his side, and do they not well know what they are about? Does not Mr. Polk come in — if he comes — pledged to annex if he can, and determined to do it if he can? Does he not come in pledged and determined to put in requisition the whole vast power of the Executive — the whole vast power of the flushed party that elects him, and to effect annexation? Is any man foolish enough to deny that Mr. Van Buren was cast overboard, and Mr. Polk nominated, expressly and solely that the candidate might be, as they exquisitely express it, "Texas to the backbone?" — And how can you suppose that, nominated for this very purpose, elected for this very purpose, he will do nothing to accomplish it? Why, if he should be disposed to do nothing, do you think that a party or a faction, strong enough to go into a National Convention, and there trample instructions under foot; strong enough to force upon the body an audacious, not very democratic rule of proceeding,



which put it out of the power of a majority to nominate the choice of a majority; strong enough to laugh Colonel Benton and Mr. Wright in the face; strong enough, not merely to divide Mr. Butler's last crust with him, but to snatch the whole of it; strong enough to ejaculate Mr. Van Buren out of the window—under whom they had once triumphed—on whom they rallied again in six months after the defeat of 1840, and who had been their candidate as notoriously and avowedly as Mr. Clay had been ours—and of whom no man of any party will deny, that in point of accomplishment and talent and experience of public affairs, he is immeasurably Mr. Polk's superior; strong enough to have dissolved that convention in a half an hour, had it not conceded their utmost demands—ruining if they could not rule;—if Mr. Polk should be disposed to do nothing, do you believe such a party, or such a faction as this, would permit him to do nothing? No. No. Desperately, weakly, fatally, does he deceive himself who will not see, that every thing which an Executive, elected expressly to do this deed, can do, will be done, and done at once! He will put it forward in his very first message. He will put it forward as the one, grand measure of his party, and of his administration. Nothing will be left unstirred to effect it. The farewell words of General Jackson will be rung in admiring and subservient ears. Ay, that drum shall be beaten, which might call the dead of all his battles to the “midnight review,” in shadowy files! The measure will not be attempted again, in the first instance, in the form of a treaty, requiring two thirds of the senate, but in the form of a law, requiring a majority of only one. Do

you say such a majority cannot be commanded? Do not be too sure of that. I pray you, give no vote, withhold no vote, on such a speculation as that. Do not, because President Tyler has not been able to command a majority — President Tyler, without a party, with one whole division of the Democratic party, with Colonel Benton and Mr. Wright at its head, against him; with the Southern Whigs, under the seasonable and important lead of Mr. Clay, against him to a man — do not, because under these special and temporary circumstances, he has not been able to obtain a majority, therefore, lay the flattering unction to your soul, that when a president who has a party, and that party a majority of the people, flushed with a recent victory won on this precise issue, shall try his hand at the business; when Colonel Benton — the temporary and special circumstances of his recent resistance having subsided — shall resume his natural and earlier position; and “La Salle” and “Americanus” shall be himself again; when Southern Whigs, no longer rallying to the lead of Mr. Clay, shall resume their natural position, or shall divide on the question; when the whole tactics of party, the united or general strength of the South, the vast and multiform influence of a strong Executive shall be combined; when the measure comes to be pressed, under every specious name, by aid of every specious topic of patriotism and aggrandizement; when, if any one, or two, or ten, or twenty members of congress should manifest symptoms of recusancy, or should try the effect of a little “sweet, reluctant, amorous delay,” the weird sisters of ambitious hearts shall play before their eyes images of foreign missions, and departments, and benches of

justice — do not deceive yourselves into the belief that the majority of one will not be secured. I speak now of the admission of Texas as a mere territory. The erection of that territory into States will be a very different undertaking — later, less promising, a far more dreadful trial of the ties of the Union. Of that I have something to say hereafter ; but I have no doubt whatever, and I feel it to be an urgent duty to declare it, that the territory, *as territory*, will be admitted in twelve months after Mr. Polk's election, unless some extraordinary interposition of the people, on which I dare not speculate, shall prevent it.

[Mr. Choate then proceeded to observe upon a letter, which he had read in the "National Intelligencer," signed by seven prominent members of the Democratic party in New York, including the accomplished editor of the "Evening Post," in which the writers declare their purpose of supporting Mr. Polk, but recommend the election of members of congress "who will reject the unwarrantable scheme now pressed on the country." He remarked on the concessions of the letter, to wit : "that the Baltimore convention had placed the Democratic party at the North in a position of great difficulty ;" that it exposed the party to the constant taunt "*that the convention rejected Mr. Van Buren and nominated Mr. Polk*, for reasons connected with the *immediate annexation of Texas* ;" "that it went still further and interpolated into the party creed a *new doctrine*, hitherto unknown among us, — at war with some of our established principles, and abhorrent to the opinions and feelings of a great majority of Northern freemen !" And he doubted whether a State which should give its vote for a president nominated solely for the very purpose of annexing Texas would or could, in the same breath, elect members of congress to go and defeat the "scheme," — "*unwarrantable*" enough, no doubt, but yet the precise and single "scheme" which Mr. Polk was brought forward to accomplish, — and whether they, or such as they, who surrendered to the candidate at Baltimore, would be very likely to beard and baffle the incumbent at Washington. He then resumed :]

The election of Mr. Polk, then, will, or may probably, annex Texas as a territory. The election of Mr. Clay defeats or postpones it indefinitely. Some persons pretend to doubt, or at least seem to deny this. But do they do him, themselves, and the great subject, justice? Read his letter upon this subject; observe the broad and permanent grounds of exclusion which he there sketches; advert to the well-weighed declaration, that so long as any considerable opposition to the measure shall be manifested, he will resist it; and you cannot fail to see that unless you yourselves, — unless Massachusetts and Vermont and Ohio, — should withdraw their opposition, for his term at least, you are safe, and all are safe. That letter, in my judgment, makes him a title to every anti-Texas vote in America. The circumstances under which it was given to the world, I happened well to know. It was before either convention had assembled at Baltimore. It was as yet, to me at least, uncertain what ground Mr. Van Buren would take. Warm friends of Mr. Clay in congress would have dissuaded him from immediate publication. They feared its effect even on the Whig convention itself; they feared its wider and more permanent effect. Wait a little, they said. Feel the pulse of the delegates as they come to Washington. Attend for a few days the rising voice of the general press of the South. He rejected these counsels of indecision, and directed it to be given to the country. In my judgment, that act saved the country. It fixed and rallied the universal Whig opinion upon this subject instantly, and everywhere. It suspended the warm feelings of the South, until its sober second thought could discern,

as now it has begun to discern, that fair and tempting as this forbidden fruit shows to the sense, it brings with it death, and all woe, with loss of Eden. The position which Mr. Clay held, — the inhabitant of a slave State ; his birthplace Virginia ; the part he transacted in the Missouri controversy ; his known and intense Americanism of feeling, eager enough, eager in the man as in the boy, to lay hold of every occasion to carry up his country to the loftiest summit of a durable and just glory, and therefore not disinclined to mere enlargement of territory, if the acquisition had been just, prudent, equitable, honorable — this felicity of position enabled him to do what few other men of even equal capacity and patriotism could do ; enabled him to quench in the spark, if now the people sustain him, this stupendous conception of madness and of guilt.

If the election of Mr. Polk, then, may annex Texas, and that of Mr. Clay defeat or indefinitely postpone it, what are the *moral* duties of the opponents of annexation, of *all parties*? You are a Democrat, for example, and you would, on every other account than this of Texas, desire the success of the Democratic ticket. You are an Abolitionist, and without expecting the success of your ticket, you would desire to give it the utmost practicable appearance of growth and strength. But can you, in sense and fairness, say, that all the other good which, even on your principles, the election of Mr. Polk, or the exhibition of a growing vote for Mr. Birney, would accomplish, or all the other evils which either of these results would prevent, would compensate for the various and the transcendent evil of annexation?

Can you doubt, when you calmly weigh all the other good which you achieve by effecting your object against the mischief you do by annexation, — can you doubt that the least thing which you owe your conscience, your country, the utmost which pride and consistency have a right to exact of you, is *neutrality*? You will not say, for instance, that you believe that a mere postponement of Democratic ascendancy for five years will permanently and irreparably impair the Constitution and the prosperity of our country, or bereave her of a ray of her glory? She can endure so long, even you do not doubt, the evil of the politics which you disapprove. She can afford to wait so long, even you will admit, for the politics which you prefer. But the evil of annexation is as immediate, as irretrievable, and as eternal as it is enormous! Time, terms of presidential office, ages, instead of healing, will but display, will but exasperate, the immedicable wound! Yes, yes! He who, some space hereafter — how long, how brief that space, you may not all taste of death until you know — he who — another Thucydides, another Sismondi — shall observe and shall paint a Union dissolved, the silver cord loosed, the golden bowl broken at the fountain; he who shall observe and shall paint the nation's flag folded mournfully, and laid aside in the silent chamber where the memorials of renown and grace, now dead, are gathered together; who shall record the ferocious factions, the profligate ambition, the hot rivalry, the wars of hate, the truces of treachery, — which shall furnish the matter of the history of alienated States, till one after another burns out and falls from its place on high, — he shall entitle this stained and mournful chapter the Consequences of Annexation.

But look at this business a little more in its details.

I will not move the question of its effect on American slavery. Whether it will transplant the stricken race from old States to new ; whether it will concentrate it on a different, larger or smaller area than it now covers, whether the result of this again would be to increase or diminish its numbers, its sufferings, and its chances of ultimate emancipation, — this is a speculation from which I retire. I repeat what I had the honor to say in the debate on the treaty, that the avowed and the direct object of annexation certainly is to prevent the abolition of slavery on a vast region which would else become free. The immediate effect intended and secured in the first instance, therefore, certainly is the diffusion and increase of slavery. So far we see. So much we know. More than that, no man can be certain that he sees or knows. Whether this is to work an amelioration of the *status* of slavery while it lasts, or to shorten its duration, is in His counsels, “ who out of evil still educes good in infinite progression.” The means we see are evil. The first effect is evil. The end is uncertain. But, if it were certain and were good, we may not do evil that good may come. While, therefore, I feel it to be my duty distinctly to say that I would leave to the masters of slaves every guaranty of the Constitution and the Union, — the Constitution as it is, the Union as it is, — without which there is no security for you or for them — no, not for a day, — I still controvert the power, I deny the morality, I tremble for the consequences, of annexing an acre of new territory, *for the mere purpose* of diffusing this great evil, this great curse, over a wider surface of American earth. Still

less would I, *for such a purpose merely*, lay hold on such a territory as Texas, larger than France, and almost as fair; least of all now, just when the spirit of liberty is hovering over it, in act to descend.

But trace the consequences of annexation on ourselves. First, chief, most comprehensive, and most irretrievable of its evils, *will be its disastrous aspect on the durability of the Union*. Texas, let us suppose, the territory, as territory, is annexed. The war with Mexico is at an end. The valor of the West has triumphed. The debt of the war, the debt of Texas is funded. Time passes. New states carved out of its ample fields knock for admission into the Union. Do you consider that it may cut up into forty as large as Massachusetts? But suppose twenty, fifteen, ten, five, only — apply one after another. Is there a man, out of a mad-house, who does not see that five, three, *one*, such application could not be acted on, and either rejected or granted, without shaking this government to its foundation? Is there a man who does not see that if all the malice and all the ingenuity of Hell were appealed to, to devise one fiery and final trial of the strength of our American feeling, of our fraternal love, of our appreciation of the uses of union, of all our bonds of political brotherhood, it could contrive no ordeal half so dreadful as this? To me this seems so palpable, that I have doubted whether Colonel Benton is not right in his conjecture that *disunion* is the exact object aimed at by some of the movers of annexation. Certainly, in looking over that grim bead-roll of South Carolina toasts and dinner-speeches which covers a broadside of the last "Intelligencer," it is quite impossible to



resist the conclusion that, as regards some individuals of this body of annexationists, either they are laboring under very treasonable politics, or that their Madeira has quite too much brandy in it. I will say, too, of any annexationist, who thinks that because we survived the Missouri question, it would be a pretty thing to move a half-dozen more such questions, that he means to sever the States, or is profoundly ignorant of the way by which they are to be kept together. Does he consider under what totally different circumstances these new Missouri questions would break out, from those which attended the old? Does he consider that the territory of Missouri was already parcel of the United States, and had been so for near twenty years; that, unlike Texas, it had been annexed as part of Louisiana, with no view at all to the diffusion and perpetuation of slavery, but on grounds of policy which the severest moralist, the strictest expounder of the Constitution, the most passionate lover of liberty, might approve; and, therefore, that having been received as a territory *diverso intuitu*, the public sensibility was less shocked by its emergence into a slave State than now it would be, when the end and aim of the original acquisition is slavery, wholly slavery, and nothing but slavery? Does he reflect how vast a change the sentiments of civilization have undergone on that whole subject since eighteen hundred and twenty? Does he remember that in that learning the world is five hundred years older than it was then? Can he not read the gathering signs of the times? Does he not mark the blazing characters traced by the bodiless hand, as in the unfinished picture? Does he not remember what the

nations have done, and especially what England has done, within twenty years? Does he not see and feel that in that interval a public opinion has been generated, has been organized, wholly new, aggressive, intolerant of the sight, intolerant of the cry, of man in chains? Does he not see and feel with what electrical force and speed it strikes from one quarter of the globe to another, and is spreading to enfold the whole civilized world like an atmosphere? Does he think it wise to blow such an atmosphere into a hurricane of flame? Does he really expect to bring his five States into the Union? Is he not sure of failing, and is he not seeking a pretext for flying in a passion; for complaining that territory constitutionally entitled to admission is excluded, and thereupon for retiring from the Union, if he can, himself? However this may be, I say that he means to sever the States, or he is profoundly ignorant, or criminally reckless, of the temper and policy by which they are to be holden together.

I would have him, who desires adequately to comprehend the probable influence of annexation on the durability of the Union, and its influence on the temper and feelings of the States composing the Union, one towards another, to consider also, whether, over and above these eternal antipathies of liberty and slavery, which it must kindle into inextinguishable flame — whether over and above these, this measure will not appear, and ought not to appear, to be a mere attempt to retain, or to give, to one region and one interest of the republic, an ascendancy, to which, as against the others, it is not entitled? Is there not vast danger that in this way it will array States, and

regions of States, against each other, on a contest of interest, of business, of relative local power? Will it not be regarded as affrontive to the pride, as a usurpation on the constitutional rights, as menacing to the pockets, of portions of the people of America, as well as an outrage on the sentiment of liberty and the spirit of the age? How can it be defended, on the principles of our political association? The generation of our fathers, who framed the Union, saw as well as we do the great natural regional divisions of the country. They foresaw, as well as we now see, that one of these regions might come to prefer one system of industrial governmental policy, and another to prefer another; that one might incline to free trade, and another to protection; that one might a little more solicitously favor the interests of cotton-planting; another, those of navigation; another, those of general agriculture; another, those of the mechanical and manufacturing arts. They foresaw that in this way there might grow to be such a thing as a Southern, or a Western, or a Central, or an Eastern administration, — each of which should be a constitutional administration, — and yet the policy of each might take a tincture from the locality which predominated in its origin and composition. They foresaw, too, that there would come to be what you would call Southern influence and Western influence and Central influence and Eastern influence; that these would strive together, without rest, for amicable mastery; and they fondly dreamed, or rationally hoped, that out of this opposition and counteraction, “this reciprocal struggle of discordant powers,” might flow a harmony that should never end. They foresaw, too,

that in the progress of time the operation of natural causes might change, and change often, all those relations which marked the era of 1789. The young cotton-plant of the South, scarcely known to art or commerce then, might place or might keep the fair and fertile region that alone produced it, for ages, at the head of the confederacy. The exhaustless soil and temperate climate of the West might attract and seat the centre of power there, — on the impurpled prairie, — by the shores of inland oceans. Labor and liberty and culture might sometimes win it back to the rock of Plymouth, to the battle-fields of Bunker Hill and Bennington, to the summits of our granite mountains, to the side of our bridal sea. Of all these alternations, they intended that the people of America, the people of each region of America, should take the risk. Of all these, we are ready to take the risk. Of all these, we always have run the risk. But there is one thing, of which the framers of the Constitution never meant that we or any region should take the risk ; and that is, that any region, any interest, should call in *foreign allies to prolong and augment an ascendancy, which, under the action of natural causes, might be imagined to be passing away!* They never meant that the North should call in the Canadas, or Newfoundland, or Greenland, for the sole purpose of giving us more votes in congress for lumber duties, or potash duties, or peltry duties, or fishing bounties, or the protection of wool. They never meant that the South should bring in Mexico, or Cuba, for the sole purpose of voting down the tariff, or maintaining any dominion or any institution, merely because the broad, deep, and resistless stream of time was threatening to

bear it silently away. No! No! That is not the Union we came into. That is not the race we set out to run. We agreed to love, honor, and cherish, a certain national identity. We agreed to place ourselves in the power of a certain national identity. We agreed to take our chance of any constitutional administration of government; any fashion of politics; any predominance of interests, opinions, and institutions, to which that might constitutionally subject us. But we did not agree to love — we did not agree to be governed by — *all creation!* We did not agree that the merchants of Matanzas, the gold miners of Mexico, the logwood cutters of Honduras, the Indian traders of Santa Fé, Coahuila, or Chihuahua, whose “barbarous appellations” we can neither pronounce nor spell, should make our laws. *Non hæc in fœdera veni!* Take care lest the people of all regions, but one, should give the translation, — “We made no such bargain, and we stand no such nonsense.”

With these impressions of the evils of annexation, it is difficult to suppress a sentiment of indignation at what would otherwise deserve nothing but ridicule, — the reasons which men give for this measure, who are ashamed or afraid to give the true one. “Texas is so fair and fertile,” they say; as if this were not just as good an argument for annexing France, — a better one, since France, though not so large, is fairer and more fertile. “It will increase our exportations of cotton and sugar so much,” — as if we should not grasp Egypt and Brazil and Hindostan on that reason; as if Colonel Holmes’s letter, just published, did not tell us that the consumption of

cotton is already stationary in England and France, and that the thing aimed at by South Carolina is not to increase the supply against that demand, but to increase the demand, by increasing English ability to consume; and to do that *by giving to the English manufacturers the market of America*. “The waters of Texas flow into our Mississippi, and therefore it would be *impious* not to reunite what nature had joined.” Impious!—as if there would not be exactly the same clamor for it, if its waters flowed into I know not what lake, of fire or of death! “It will consume such unknown quantities of northern manufactures.” Unknown, indeed! as if we were quite so verdant as not to be perfectly aware that the precise object of some of the more prominent movers of this business is to get Texan votes to stop your mills, not Texan customers to buy your cloth; that some of those men would be glad to-day to see you send your children or your horses to England to be shod; that what they notoriously aim at, is not at all an increased ability to consume your *manufactures*, but an increased vote against your tariff, and an easier victory over your labor. “Texas will admit British goods, duty free, or under low duties, and they will be smuggled in such quantities into the United States as to diminish our revenue, and evade our law of protection!”—a reason which I am sorry to see receive the sanction of a convention of Massachusetts men, of whatever politics,—scarcely satisfactory, I venture to conjecture, to any manly-minded and intelligent member of that body of our Democratic fellow-citizens, who have just made their nomination of governor; as if Texas, starved to death,

crushed, paralyzed, for want of money — Texas, almost compelled to let go the sweet and proud boon of national independence, because she has not the financial ability to assert her title to it — as if she can afford to admit English goods free of duty, or under duties so far below our own as to warrant such an absurd apprehension; as if all Louisiana and Arkansas and Missouri were going to form a great copartnership of smuggling with Yorkshire and Liverpool; as if, on this hypothesis, you must not have Mexico too, for she is under English influence, and will lend a hand to this hopeful scheme of turning the flank of the tariff; and Canada, — which is England herself, — in direct contact with more States than Texas touches; — nay, as if you must not, as a good Alabama Whig said, make up your minds to have “no outside row at all, for the squirrels to eat;” and so strike dead to the water all round, at once, not forgetting your right to a marine league, of say a couple of thousand miles long, to prevent hovering on your coasts.

No, Fellow-citizens, there is no case made for annexation at all. Let him who is making his mind up on that subject, and who desires to do so, not in the small spirit of a narrow and local selfishness, but as a patriot, a Unionist, a statesman, a Christian, a lover of his kind; let him unroll the map of our territory as now we hold it, broad, boundless as an ocean; let him, on that map, observe how that territory spreads itself out from the St. John to the Sabine, eight and twenty hundred miles of coast, and inland to the Rocky Mountains, ay, to the great tranquil sea, more than thirty-five hundred miles — wider than

the vast Atlantic, let him mark how it extends through twenty parallels of latitude and thirty of longitude, through all climates and all soils; let him observe, as he descends from North to South, how it successively displays a sample and a rival of all the great productions and all the great productive regions of the globe,—pine forests, like those of Norway; wheat-fields outmeasuring those of Poland; pastures ampler and fairer than the shepherds of England and Spain ever saw; cotton, rice, for the world, though Egypt and India were smitten with instant and perpetual sterility; let him reflect that there are limits of a nation's territorial extent, which the laws of nature and of man do not permit them to transcend, beyond which the warm tides of the national heart cannot be propelled, or cannot flow back,—beyond which unity, identity, nationality, are dissolved and dissipated; and then let him bear in mind that our territory is already three times larger than England, Spain, France, and Italy, all put together,—larger than the Roman Empire in its zenith; and he will be prepared to say whether, with or without the cost of a war; with or without the violation of treaties; with or without the approval of the moral judgments of the world; irrespective of all influence upon his own State, or region of States, he thinks it well to add to this vast region another, forty times larger than Massachusetts,—larger than France, for the purpose of perpetuating slavery, on a soil certain otherwise, and speedily, to be free. How far wiser, more innocent, more glorious, to improve what we have; to fell our forests; to construct our railroads; to reclaim our earth; to fit it



all up to be the spacious and beautiful abode of one harmonious family of Man!

And, now, Fellow-citizens, if these are the evils of annexation; and if the election of Mr. Polk will, or probably may, effect annexation, and that of Mr. Clay will defeat, or postpone it indefinitely, — what, I ask, once more, are the duties of the opponents of this measure, of all parties? What are your moral duties? If the mischiefs of Mr. Polk's administration would agree to take any shape but this; if they were certain not to go beyond four years of disordered currency; interrupted improvements; indiscreet disposition of the lands; unstable and insufficient protection of labor — if this were all, — I would not ask a man — I would not thank a man to change or to withhold a vote. I know there are Whigs enough, Whigs from their mothers' arms — now and always such, who, without the stimulus of uncompromising hostility to Texas, — without that, — on a calm, habitual estimate of the general politics involved, — could turn Mr. Polk back again upon the convention that discovered him, and win anew the victory of 1840. But I acknowledge an earnest desire to see "this unwarrantable scheme" — as the New York Democrats have pronounced it — encountered by an opposition approaching to unanimity. I should like to see it shamed out of sight, for at least our day. Why, the wisdom and patriotism of the better South disowns it! See how the old glorious North Carolina has gone into action, and how she has come out of it! Hark to the thunder that announces the risen and triumphant Kentucky! Is this a day for New England to be inactive, or to be distracted? Do you

need to be told, what I love not to dwell or touch upon, that if the designs of some of those who would annex Texas could be accomplished; if they could succeed in turning Texas to the account which they dream of; if, by that aid, they could subvert your industrial policy; could retransfer your workshops to Europe; could prevent the industry of America from doing the work of America; could suspend these diversified employments, which develop, discipline, occupy, and reward the universal faculties of this community; which give to every taste and talent the task best suited to it; which give occupation to the strong and weak; the bright and the dull; to both sexes and to all ages, and at all times,—in winter and summer; in wet weather and in dry weather; by daylight and lamplight; to all and each,—“a fair day’s wages for a fair day’s work;”—if they could strike down the giant arm of Labor helpless to his side—if the politics which you are this day in the field to resist could triumph,—do you not know—that even if the Union were preserved, New England would be cast into provincial, into parochial insignificance? ay, that this New England, the New England that we love; the New England of our fathers and of history—that the places which once knew *this* New England would know her no more? Having a form to live, she would be dead. Having a form of constitutional life, the strong, soaring, and beautiful spirit would have departed. If the Union were preserved; if the great constellation still held on its journey in the sky, these once jubilant stars of the morning would be silent and dim.

But I would rather show you a loftier motive than any impulse of local interest, or local affection, or local pride. I tell you, Fellow-citizens of all parties, here and everywhere, that if you love the Union as once you did, out of a pure heart, fervently; if neither the small gasconades of nullifiers, nor the gloomy ravings of fanatics have chilled that sweet, cherished, and hereditary sentiment; if you yet love to turn away from the croaker who predicts, the hypocrite who desires, the bully who threatens, the arithmetician who computes, the traitor who plots, dissolution of the Union; if you love, turning from these, to go and erect and refresh your spirits by pondering the farewell counsels of Washington, by drawing from that capacious national heart, by retracing that illustrious life,—if you, whoever you are, wherever you are, whatever you are, are for the Union against everybody, for the Union with anybody, for the Union first, last, and always,—then stand by us, and we will stand by you—this once! This once! Another time, on other subjects, we can quarrel, but not now—not now, when the legions throng up to the very walls of the city of David, and the engines thunder at its gate. Another time we can sleep on and take our rest, but not now:

Awake, arise, or be for ever fallen!

## SPEECH ON THE JUDICIAL TENURE.

DELIVERED IN THE MASSACHUSETTS STATE CONVENTION,  
JULY 14, 1853.

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It is not my purpose to enter at large on the discussion of this important subject. That discussion is exhausted; and if it is not, your patience is; and if not quite so, you have arrived, I apprehend, each to his own conclusion. But as I had the honor to serve on the committee to whom the department of the judiciary was referred, I desire to be indulged in the statement of my opinions, abstaining from any attempt elaborately to enforce them.

I feel no apprehension that this body is about to recommend an election of judges by the people. All appearances; the votes taken; the views disclosed in debate; the demonstrations of important men here, indicate the contrary. I do not mean to say that such a proposition has not been strenuously pressed, and in good faith; yet, for reasons which I will not consume my prescribed hour in detailing, there is no danger of it. Whether members are ready for such a thing or not, they avow, themselves, that they do not think the people are ready.

What I most fear is, that the deliberation may end in limiting the tenure of judicial office to a term of years, seven or ten; that in the result we shall hear

it urged, "as we are good enough not to stand out for an election by the people, you ought to be capable of an equal magnanimity, and not stand out for the present term of good behavior;" and thus we shall be forced into a compromise in favor of periodical and frequent appointment, — which shall please everybody a little.

I have the honor to submit to the convention that neither change is needed. Both of them, if experience may in the least degree be relied on, are fraught with evils unnumbered. To hazard either, would be, not to realize the boast that we found the capitol, in this behalf, brick, and left it marble; but contrariwise, to change its marble to brick.

Sir, in this inquiry what mode of judicial appointment, and what tenure of judicial office, you will recommend to the people, I think that there is but one safe or sensible mode of proceeding, and that is to ascertain what mode of appointment, and what length and condition of tenure, will be most certain, in the long run, guiding ourselves by the lights of all the experience and all the observation to which we can resort, to bring and keep the best judge upon the bench — the best judge for the ends of his great office. There is no other test. That an election by the people, once a year, or an appointment by the governor once a year, or once in five, or seven, or ten years, will operate to give to an ambitious young lawyer (I refer to no one in this body) a better chance to be made a judge — as the wheel turns round — is no recommendation, and is nothing to the purpose. That this consideration has changed, or framed, the constitutions of some of the States whose

example has been pressed on us, I have no doubt. Let it have no weight here. We, at least, hold that offices, and most of all the judicial office, are not made for incumbents or candidates, but for the people; to establish justice; to guarantee security among them. Let us constitute the office in reference to its ends.

I go for that system, if I can find it or help find it, which gives me the highest degree of assurance, taking man as he is, at his strongest and at his weakest, and in the average of the lot of humanity, that there shall be the best judge on every bench of justice in the commonwealth, through its successive generations. That we may safely adopt such a system; that is to say, that we may do so and yet not abridge or impair or endanger our popular polity in the least particular; that we may secure the best possible judge, and yet retain, ay, help to perpetuate and keep in health, the utmost affluence of liberty with which civil life can be maintained, I will attempt to show hereafter. For the present, I ask, how shall we get and keep the best judge for the work of the judge?

Well, Sir, before I can go to that inquiry, I must pause at the outset, and, inverting a little what has been the order of investigation here, ask first, who and what is such a judge; who is that best judge? what is he? how shall we know him? On this point it is impossible that there should be the slightest difference of opinion among us. On some things we differ. Some of you are dissatisfied with this decision or with that. Some of you take exception to this judge or to that. Some of you,

more loftily, hold that one way of appointing to the office, or one way of limiting the tenure, is a little more or less monarchical, or a little more or less democratic than another — and so we differ ; but I do not believe there is a single member of the convention who will not agree with me in the description I am about to give of the good judge ; who will not agree with me that the system which is surest to put and to keep him on the bench is the true system for Massachusetts.

In the first place, he should be profoundly learned in all the learning of the law, and he must know how to use that learning. Will any one stand up here to deny this ? In this day, boastful, glorious for its advancing popular, professional, scientific, and all education, will any one disgrace himself by doubting the necessity of deep and continued studies, and various and thorough attainments, to the bench ? He is to know, not merely the law which you make, and the legislature makes, not constitutional and statute law alone, but that other ampler, that boundless jurisprudence, the common law, which the successive generations of the State have silently built up ; that old code of freedom which we brought with us in *The Mayflower* and *Arbella*, but which in the progress of centuries we have ameliorated and enriched, and adapted wisely to the necessities of a busy, prosperous, and wealthy community, — that he must know. And where to find it ? In volumes which you must count by hundreds, by thousands ; filling libraries ; exacting long labors, — the labors of a lifetime, abstracted from business, from politics ; but assisted by taking part in an active judicial ad-

ministration ; such labors as produced the wisdom and won the fame of Parsons and Marshall, and Kent and Story, and Holt and Mansfield. If your system of appointment and tenure does not present a motive, a help for such labors and such learning ; if it discourages, if it disparages them, in so far it is a failure.

In the next place, he must be a man, not merely upright, not merely honest and well-intentioned, — this of course, — but a man who will not respect persons in judgment. And does not every one here agree to this also ? Dismissing, for a moment, all theories about the mode of appointing him, or the time for which he shall hold office, sure I am, we all demand, that as far as human virtue, assisted by the best contrivances of human wisdom, can attain to it, he shall not respect persons in judgment. He shall know nothing about the parties, every thing about the case. He shall do every thing for justice ; nothing for himself ; nothing for his friend ; nothing for his patron ; nothing for his sovereign. If on one side is the executive power and the legislature and the people, — the sources of his honors, the givers of his daily bread, and on the other an individual nameless and odious, his eye is to see neither, great nor small ; attending only to the “ trepidations of the balance.” If a law is passed by a unanimous legislature, clamored for by the general voice of the public, and a cause is before him on it, in which the whole community is on one side and an individual nameless or odious on the other, and he believes it to be against the Constitution, he must so declare it, — or there is no judge. If Athens comes there to demand that



the cup of hemlock be put to the lips of the wisest of men ; and he believes that he has not *corrupted the youth, nor omitted to worship the gods of the city, nor introduced new divinities of his own*, he must deliver him, although the thunder light on the unterrified brow.

This, Sir, expresses, by very general illustration, what I mean when I say I would have him no respecter of persons in judgment. How we are to find, and to keep such an one ; by what motives ; by what helps ; whether by popular and frequent election, or by executive designation, and permanence dependent on good conduct in office alone — we are hereafter to inquire ; but that we must have him, — that his price is above rubies, — that he is necessary, if justice, if security, if right are necessary for man, — all of you, from the East or West, are, I am sure, unanimous.

And, finally, he must possess the perfect confidence of the community, that he bear not the sword in vain. To be honest, to be no respecter of persons, is not yet enough. He must be believed such. I should be glad so far to indulge an old-fashioned and cherished professional sentiment as to say, that I would have something of venerable and illustrious attach to his character and function, in the judgment and feelings of the commonwealth. But if this should be thought a little above, or behind the time, I do not fear that I subject myself to the ridicule of any one, when I claim that he be a man towards whom the love and trust and affectionate admiration of the people should flow ; not a man perching for a winter and summer in our court-houses, and then gone for-

ever, but one to whose benevolent face, and bland and dignified manners, and firm administration of the whole learning of the law, we become accustomed; whom our eyes anxiously, not in vain, explore when we enter the temple of justice; towards whom our attachment and trust grow even with the growth of his own eminent reputation. I would have him one who might look back from the venerable last years of Mansfield, or Marshall, and recall such testimonies as these to the great and good Judge:—

“The young men saw me, and hid themselves; and the aged arose and stood up.

“The princes refrained talking, and laid their hand upon their mouth.

“When the ear heard me, then it blessed me, and when the eye saw me, it gave witness to me.

“Because I delivered the poor that cried, and the fatherless, and him that had none to help him.

“The blessing of him that was ready to perish came upon me, and I caused the widow’s heart to sing for joy.

“I put on righteousness and it clothed me. My judgment was as a robe and a diadem. I was eyes to the blind, and feet was I to the lame.

“I was a father to the poor, and the cause which I knew not, I searched out.

“And I brake the jaws of the wicked, and plucked the spoil out of his teeth.”

Give to the community such a judge, and I care little who makes the rest of the constitution, or what party administers it. It will be a free government, I know. Let us repose, secure, under the shade of a learned, impartial, and trusted magistracy, and we need no more.

And, now, what system of promotion to office and what tenure of office is surest to produce such a judge? Is it executive appointment during good behavior, with liability, however, to be impeached for good cause, and to be removed by address of the legislature? or is it election by the people, or appointment by the executive for a limited term of years?

To every system there are objections. To every system there are sound, or there are specious objections; objections of theory; objections of fact. Any man's ability is equal to finding, and exaggerating them. What is demanded of us is to compare the good and evil of the different systems, and select the best. Compare them by the test which I have proposed. See which will most certainly give you the judge you need, and adopt that. It may be cavilled at; even as freedom, as religion, as wholesome restraint, as liberty of speech, as the institution and the rights of property, may be cavilled at; but in its fruits, in its product, judged by a long succession of seasons, is its justification and its glory.

Applying then, Sir, this test, I think the existing system is, out of all comparison, the best one. At the hazard of repeating and weakening the views presented yesterday in the impressive and admirable address of my friend for Manchester, [Mr. Dana,] and in the instructive and able arguments of the two gentlemen, [Mr. Greenleaf and Mr. Parker,] whose established professional reputations give to them such just weight with you, I beg to submit, briefly, why I think so.

In the first place, then, it seems to me most clear

that the weight of sound general opinion and of the evidence of a trustworthy experience vastly preponderates in favor of it. How the system of popular elections, or of short terms, is actually working now in any one of the States which have recently introduced it; how, still more, it is likely to work there after the influences of the earlier system, the judges which it bred, the habits which it formed, the bars which it trained, have passed away, there is no proof before this Convention deserving one moment's notice. We do not know what is the predominant conviction on this subject, to-day, of those fittest to judge, in any one State. We do know that they cannot yet possibly pronounce on the matter, however close or sagacious their observation. What they have not yet seen, they cannot yet tell. Certainly the result of all that I have been able to gather is a general and strong opinion against the new system; and in favor of a return, if to return were possible, to that which we are yet proud and privileged to call our own. But the evidence is too loose for the slightest consideration. My friend for Manchester read letters yesterday from persons of high character, as he assured us, in New York, deploring the working of her new system; and I have no doubt that the witnesses are respectable, and the opinions perfectly sound. But other gentlemen guess that very different letters might be obtained, by applying to the right quarters; and the gentleman from New Bedford, [Mr. French,] is quite confident that the people of that great State — the two or three millions — are in favor of the change, because one, if not two, or even three individuals have personally told him so. And,

therefore, I say, we have not here now so much evidence of the practical working of their recent systems anywhere, even as far as it has gone, that any honest lawyer would advise his client to risk a hundred dollars on it.

But, on the other hand, are there not most weighty opinions; is there not the testimony of the widest, and longest, and most satisfactory experience, that executive appointment for good behavior yields the best judge?

What is British opinion and British experience to the point? On the question what tenure of office promises the best judge, that opinion and that experience may well be adverted to. Whether a particular mode, or a particular tenure, is consonant to the republican polity of government, we must settle for ourselves. That is another question. Monarchical and aristocratical principles we will not go for to England or elsewhere, nor buy even learning, impartiality, and titles to trust, at the cost of an anti-republican system. But to know how it practically operates to have the judge dependent on the power that appoints him; dependent for his continuance in office; dependent for his restoration to it; dependent on any thing or on anybody but his own official good behavior, and that general responsibility to the legislature and public opinion, "that spirit of observation and censure which modifies and controls the whole government," — we may very well consult British or any other experience. The establishment of the tenure of good behavior was a triumph of liberty. It was a triumph of popular liberty against the crown. Before the revolution of 1688, or certainly during the

worst years of the Stuart dynasty, the judge held office at the pleasure of the king who appointed him. What was the consequence? He was the tool of the hand that made and unmade him. Scroggs and Jeffreys were but representatives and exemplifications of a system. A whole bench sometimes was packed for the enforcement of some new and more flagrant royal usurpation. Outraged and in mourning by judicial subserviency and judicial murder, England discerned at the revolution that her liberty was incompletely recovered and imperfectly guarded, unless she had judges by whom the boast that an Englishman's house is his castle should be elevated from a phrase to a fact; from an abstract right to a secure enjoyment, so that, although that house were "a cottage with a thatched roof which all the winds might enter, the king could not." To that end the Act of Settlement made the tenure of good behavior a part of the British Constitution; and a later amendment kept the judicial commission alive, as my friend from Manchester yesterday reminded us, notwithstanding the demise of the sovereign, and perfected the system. Sir, the origin of the tenure of good behavior — marking thus an epoch in the progress of liberty; a victory, so to say, of individuality, of private right, of the household hearth of the cottager, of the "swink'd hedger," over the crown, — and still more, its practical workings in the judicial character and function, may well entitle it to thoughtful treatment. Compare the series of British judges since 1688 with that before, and draw your own conclusions. Not that all this improvement, in impartiality, in character, in titles to confidence and affection is due to the change of ten-

ure ; but the soundest historians of that Constitution recognize that that is one element of transcendent importance. With its introduction she began to have a government of laws and not of men.

I come to other testimony, other opinions — the lights of a different experience. There is a certain transaction and document called the Federal Constitution. Consult that. In 1787, that Convention, — assisted by the thoughts and discussions of the five years of peace preceding it, upon the subject of national government, — to be constructed on the republican form of polity — into which were gathered all, or almost all, of our great men, in our age of greatness ; men of deep studies, ripe wisdom, illustrious reputation, a high spirit of liberty ; that Convention, upon a careful survey of the institutions of the States of America, and of those of other countries, and times past and present ; upon, I think we cannot doubt, a profound appreciation of the true functions of a judicial department ; of the qualities of a good judge ; of the best system of appointment and tenure to obtain them — of the true nature of republican government — and how far, consistently with all its characteristic principles and aims, the people may well determine to appoint to office indirectly, rather than directly, and for good behavior, rather than for a limited term, when the great ends of the stability of justice, and the security of private right prescribe it — incorporated into the great organic law of the Union the principle that judges shall be appointed by the executive power, to hold their office during good behavior.

The gentleman from Lowell [Mr. Butler] last

evening observed, referring, I believe, to the time when our Constitution was adopted, that it was long before the age of the steamboat and railroad and magnetic telegraph. It is true; but do we know better than they knew the nature of man; the nature of the judicial man; what he ought to be to discharge his specific functions aright; how motives, motives of ambition, of fear, of true fame, of high principle, affect him; whether dependence on another power is favorable to independence of the wishes and the will of that other power? Do we know more of republican government and true liberty, and the reconciliations of personal security under due course of law with the loftiest spirit of freedom, than they? Has the advancement of this kind of knowledge quite kept pace with that of the science of the material world?

I wish, Sir, the time of the Convention would allow me to read entire that paper of "The Federalist," the seventy-eighth I believe, in which the principle of the independence of the judiciary is vindicated, and executive appointment, during good behavior, as the means of attaining such independence, is vindicated also. But read it for yourselves. Hear Hamilton and Madison and Jay; for we know from all sources that on this subject that paper expressed the opinions of all,—on the independence of the judiciary, and the means of securing it,—a vast subject adequately illustrated by the highest human intelligence and learning and purity of principle and of public life.

Sir, it is quite a striking reminiscence, that this very paper of "The Federalist," which thus maintains the independence of the judiciary, is among the earliest, perhaps the earliest, enunciation and vindication, in



this country, of that great truth, that in the American politics, the written Constitution — which is the record of the popular will — is above the law which is the will of the legislature merely ; that if the two are in conflict, the law must yield and the Constitution must rule ; and that to determine whether such a conflict exists, and if so, to pronounce the law invalid, is, from the nature of the judicial office, the plain duty of the judge. In that paper this fundamental proposition of our system was first presented, or first elaborately presented, to the American mind ; its solidity and its value were established by unanswerable reasoning ; and the conclusion that a bench, which was charged with a trust so vast and so delicate, should be as independent as the lot of humanity would admit — of the legislature, of the executive, of the temporary popular majority, whose will it might be required thus to subject to the higher will of the Constitution, was deduced by a moral demonstration. Beware, Sir, lest truths so indissolubly connected — presented together, at first ; — adopted together — should die together. Consider whether, when the judge ceases to be independent, the Constitution will not cease to be supreme. If the Constitution does not maintain the judge against the legislature, and the executive, will the judge maintain the Constitution against the legislature and the executive ?

What the working of this principle in the national government has been, practically, there is no need to remind you. Recall the series of names, the dead and living, who have illustrated that Bench ; advert to the prolonged terms of service of which the country has had the enjoyment ; trace the growth of the

national jurisprudence ; compare it with any other production of American mind or liberty ; then trace the progress and tendencies of political opinions, and say if it has not given us stability and security, and yet left our liberties unabridged.

I find a third argument for the principle of executive appointment during good behavior in this : that it is the existing system of Massachusetts, and it has operated with admirable success. It is not that it exists ; it is that it works well. Does it not ? Sir, is it for me, or any man, any member of the profession of the law most of all, to rise here, and now, and because our feelings may have sometimes been ruffled or wounded by a passage with the Bench ; because we have been dissatisfied by a ruling or a verdict ; because our own over-wrought brain may have caused us, in some moment, to become forgetful of ourselves ; or because a judge may have misunderstood us, and done us an unintentional injury — is it for us to disclaim the praise, so grateful, so just, which the two eminent gentlemen, one of them formerly of New Hampshire [Mr. Parker], one of them formerly of Maine [Mr. Greenleaf], speaking without the partiality of native sons, and from observations made by them from a point of view outside of us, and distant from us — have bestowed on our Bench and our law ? Theirs are lips from which even flattery were sweet ; but when they concur in reminding you with what respect the decisions of this court are consulted by other courts of learning and character ; how far their reputation has extended ; how familiar is the profession of law with the great names of our judicial history ; how impor-

tant a contribution to American jurisprudence, and even to the general products of American thought, our local code composes — do we not believe that they utter their personal convictions, and that the high compliment is as deserved as it is pleasing?

If it has worked well, it is good. Do men gather grapes of thorns, or figs of thistles? If it has continued to us a long succession of men, deeply learned, wholly impartial, deserving, and clothed with the trust, love, and affectionate admiration of all parties of the community, does it not afford a reasonable ground of inference that there is something in such a mode of appointment, and in such a tenure, *intrinsically, philosophically* adapted to insure such a result?

Some criticism has been made on the practical administration of our law, which deserves a passing notice. It requires the less because it has already been replied to.

The gentleman from New Bedford [Mr. French] told a story of some one, as I understood him, who was about to lose, or had lost, or dared not sue, a note of a hundred dollars, because it would cost him one hundred and fifty dollars to collect it. A very sensible explanation was suggested by the gentleman from Cambridge [Mr. Parker] just now; and I will venture to advise the gentleman from New Bedford in addition, the very first time he sees his friend, to recommend to him to change his lawyer as quick as he possibly can. As a reason for a change of the Constitution, and the tenure of the judicial office, it seems to me not particularly cogent.

The same gentleman remembers that your Supreme Court decided that the fugitive-slave law is

constitutional; and what makes it the more provoking is, he knows the decision was wrong. Well, Sir, so said the gentleman from Manchester [Mr. Dana]. His sentiments concerning that law and its kindred topics do not differ, I suppose, greatly from those of the member from New Bedford; but what did he add? "I thank God," he said, "that I have the consolation of knowing the decision was made by men as impartial as the lot of humanity would admit; and that if judges were elected by the people of Massachusetts it would hold out no hope of a different decision." He sees in this, therefore, no cause for altering our judicial system on any view of the decision; and I believe—though I have never heard him say or suggest such a thing—that my friend's learning and self-distrust—that "that learned and modest ignorance" which Gibbon recognizes as the last and ripest result of the profound knowledge of a large mind—will lead him to agree with me, that it is *barely possible*, considering how strongly that law excites the feelings, and thus tends to disturb the judgment, considering the vast weight of judicial opinion, and of the opinions of public persons in its favor; recalling the first law on that subject, and the decision in Prigg and Pennsylvania—and who gave the opinion of that Court in that case—that it is *just barely possible* that the gentleman from New Bedford does not certainly know that the decision was wrong. That he thinks it so, and would lay his life down upon it, the energy and the sentiments of his speech sufficiently indicate. My difficulty, like my friend's from Manchester, is to gather out of all this indignation the least particle of cause for a change of the judicial tenure.

The gentleman from Lowell [Mr. Butler] animadverted somewhat, last evening, on the delays attending the publication of the reports of decisions. I had made some inquiry concerning the facts, but have been completely anticipated in all I would have said by the gentleman from Cambridge [Mr. Parker]. To me his explanation seems perfectly satisfactory; and in no view of such a question would the good sense of the gentleman from Lowell, I think, deem it a reason for so vast an innovation as this, on the existing and ancient system.

To another portion of that learned gentleman's speech, I have a word to say, in all frankness and all candor. Placing his hand on his heart, he appealed, with great emphasis of manner, to the honor of the bar, as represented in this Convention, whether we had not heard complaints of particular acts of some of our judges? Sir, that appeal is entitled to a frank and honorable response. I have known and loved many; many men; many women — of the living and the dead — of the purest and noblest of earth or skies — but I never knew one — I never heard of one — if conspicuous enough to attract a considerable observation, whom the breath of calumny, or of sarcasm, always wholly spared. Did the learned gentleman ever know one? "Be thou as chaste as ice, as pure as snow, thou shalt not escape calumny."

And does he expect that in a profession like ours; overtasked; disappointed in the results of causes; eager for victory; mortified by unexpected defeat; misunderstanding or failing to appreciate the evidence; the court sometimes itself jaded and mistaken

—that we shall not often hear, and often say, hasty and harsh things of a judge? I have heard such of every judge I ever saw — however revered in his general character. Did Mansfield escape? Did Marshall? Did Parsons? Did Story? What does it come to as an argument against the particular judge : still more as an argument against a judicial system? Are we to go on altering the mode of appointment, and the tenure, till you get a *corps* of judges, against no one of which, no one ever hears anybody say any thing?

But, Sir, I am to answer the learned gentleman's appeal a little farther; and I say upon my honor, that I believe it the general opinion of the bar to-day, its general opinion ever since I entered the profession, that our system of appointment and tenure has operated perfectly well; that the benches and courts have been, and are, learned, impartial, entitled to trust; and that there is not one member of either who, taking his judicial character and life as a whole, is not eminently, or adequately, qualified for his place.

Turn, now, from the existing system to the substitute which is offered; and see, if you can, how that will work.

It is not enough to take little objections to that system, in its general working so satisfactory. He who would change it is bound to show that what he proposes in place of it will do better. To this, I say, it is all a sheer conjectural speculation, yet we see and know enough to warrant the most gloomy apprehensions.

Consider first, for a moment, the motion immedi-

ately pending ; which proposes the election of judges by the people. I said in the outset, I have no fear of your sustaining it ; but for the development of a full view of the general subject, it will justify some attention.

Gentlemen begin by asking if we are afraid to trust the people. Well, Sir, that is a very cunning question ; very cunning indeed. Answer it as you will, they think they have you. If you answer, Yes, — that you are afraid to trust the people, — then they cry out, He blasphemeth. If you answer, No, — that you are not afraid to trust them, — then they reply, Why not permit them to choose their judges?

Sir, this dilemma creates no difficulty. I might evade it by saying that however ready and however habituated to trust the people, it does not follow that we should desert a system which has succeeded eminently, to see if another will not succeed as well. If the indirect appointment by the people, appointment through the governor whom they choose, has supplied a succession of excellent judges, why should I trouble them with the direct appointment — however well they might conduct it — which they have not solicited ; which they have not expected ; about which you dared not open your mouths during the discussion concerning the call of a Convention : in regard to which you gave them — it is more correct to say — every reason to believe you should make no change whatever? Get a Convention by a pledge to the people not to make judges elective — and then tell us we shall make them elective, on pain of being denounced afraid to trust the people ! Will such flattery be accepted in atonement for such deception ?

But I prefer meeting this dilemma in another way. It is a question certainly of some nicety to determine what offices the public good prescribes should be filled by a direct election of the people; and what should be filled by the appointment of others, as the governor and counsel, chosen by the people. On the best reflection I have been able to give it, this seems to me a safe general proposition. If the nature of the office be such, the qualifications which it demands, and the stage on which they are to be displayed be such, that the people can judge of those qualifications as well as their agents; and if, still farther, the nature of the office be such that the tremendous ordeal of a severely contested popular election will not in any degree do it injury, — will not deter learned men, if the office needs learning, from aspiring to it; will not tend to make the successful candidate a respecter of persons, if the office requires that he should not be; will not tend to weaken the confidence and trust, and affectionate admiration of the community towards him, if the office requires that such be the sentiments with which he should be regarded, — then the people should choose by direct election. If, on the other hand, from the kind of qualifications demanded, and the place where their display is to be made, an agent of the people, chosen by them for that purpose, can judge of the qualifications better than they can; or if from its nature it demands learning, and the terrors of a party canvass drive learning from the field; or if it demands impartiality and general confidence, and the successful candidate of a party is less likely to possess either, — then the indirect appointment by



the people, that is, appointment by their agent, is wisest.

Let me illustrate this test by reference to some proceedings of the Convention. You have already made certain offices elective, which heretofore were filled by executive appointment—such as those of sheriffs; the attorney-general; district-attorneys, and others.

Now, within the test just indicated, I do not know why these offices may not be filled by election, if anybody has a fancy for it. Take the case of the sheriff, for instance. He requires energy, courtesy, promptness,—qualities pertaining to character rather, and manner, displayed, so to speak, in the open air; palpable, capable of easy and public appreciation. Besides, his is an office which the freedom and violence of popular elections do not greatly harm. There are certain specific duties to do for a compensation, and if these are well done, it does not much signify what a minority or what anybody thinks of him.

Totally unlike this in all things is the case of the judge. In the first place, the qualities which fit him for the office are quite peculiar; less palpable, less salient, so to speak, less easily and accurately appreciated by cursory and general notice. They are an uncommon, recondite, and difficult learning, and they are a certain power and turn of mind and cast of character, which, until they come actually, and for a considerable length of time, and in many varieties of circumstances, to be displayed upon the bench itself, may be almost unremarked but by near and professional observers. What the public chiefly see is the

effective advocate ; him their first thought would be perhaps to make their candidate for judge ; yet experience has proved that the best advocate is not necessarily the best judge, — that the two functions exact diverse qualifications, and that brilliant success in one holds out no certain promise of success in the other. A popular election would have been very likely to raise Erskine or Curran to the Bench, if they had selected the situation ; but it seems quite certain that one failed as Lord Chancellor, and the other as Master of the Rolls, and pretty remarkably, too, considering their extraordinary abilities in the conduct of causes of fact at the bar. I have supposed that Lord Abinger, who, as Mr. Scarlett, won more verdicts than any man in England, did not conspicuously succeed in the exchequer ; and that, on the other hand, Lord Tenterden, to name no more, raised to the bench from no practice at all, or none of which the public had seen any thing, became, by the fortunate possession of the specific judicial nature, among the most eminent who have presided on it. The truth is, the selection of a judge is a little like that of a professor of the higher mathematics or of intellectual philosophy. Intimate knowledge of the candidate will detect the presence or the absence of the *specialty* demanded ; the kind of knowledge of him which the community may be expected to gain, will not. On this point I submit to the honor and candor of the bar in this body an illustration which is worth considering. It often happens that our clients propose, or that we propose, to associate other counsel with us to aid in presenting the cause to the jury. In such cases we expect and desire them to select their man,

and almost always we think the selection a good one. But it sometimes happens, too, that it is decided to submit the cause to a lawyer as a referee. And then do we expect or wish our client to select the referee? Certainly never. That we know we can do better than he, because better than he we appreciate the legal aspects of the case, and the kind of mind which is required to meet them; and we should betray the client, sacrifice the cause, and shamefully neglect a clear duty, if we did not insist on his permitting us, for the protection of his interests intrusted to our care, to appoint his judge. Always he also desires us for his sake to do it. And now, that which we would not advise the single client to do for himself, shall we advise the whole body of our clients to do for themselves?

But this is, by no means, the principal objection to making this kind of office elective. Consider, beyond all this, how the office itself is to be affected; its dignity; its just weight; the kind of men who will fill it; their learning; their firmness; their hold on the general confidence — how will these be affected? Who will make the judge? At present he is appointed by a governor, his council concurring, in whom a majority of the whole people have expressed their trust by electing him, and to whom the minority have no objection but his politics; acting under a direct personal responsibility to public opinion; possessing the best conceivable means to ascertain, if he does not know, by inquiry at the right sources, who does, and who does not possess the character of mind and qualities demanded. By such a governor he is appointed; and then afterward he is perfectly in-

dependent of him. And how well the appointing power in all hands has done its work, let our judicial annals tell. But, under an elective system, who will make the judge? The young lawyer leaders in the caucus of the prevailing party will make him. Will they not? Each party is to nominate for the office, if the people are to vote for it, is it not? You know it must be so. How will they nominate? In the great State caucus, of course, as they nominate for governor. On whom will the judicial nominations be devolved? On the professional members of the caucus, of course. Who will they be? Young, ambitious lawyers, very able, possibly, and very deserving; but not selected by a majority of the whole people, nor by a majority, perhaps, of their own towns, to do any thing so important and responsible as to make a judge, — these will nominate him. The party, unless the case is very scandalous indeed, will sustain its regular nominations; and thus practically a handful of caucus leaders, under this system, will appoint the judges of Massachusetts. This is bad enough; because we ought to know who it is that elevates men to an office so important — we ought to have some control over the nominating power — and of these caucus leaders we know nothing; and because, also, they will have motives to nominate altogether irrespective of the fitness of the nominee for the place, on which no governor of this Commonwealth, of any party, has ever acted. This is bad enough. But it is not all, nor the worst. Trace it onwards. So nominated, the candidate is put through a violent election; abused by the press, abused on the stump, charged ten thousand times

over with being very little of a lawyer, and a good deal of a knave or boor ; and after being tossed on this kind of blanket for some uneasy months, is chosen by a majority of ten votes out of a hundred thousand, and comes into court, breathless, terrified, with perspiration in drops on his brow, wondering how he ever got there, to take his seat on the bench. And in the very first cause he tries, he sees on one side the counsel who procured his nomination in caucus, and has defended him by pen and tongue before the people, and on the other, the most prominent of his assailants ; one who has been denying his talents, denying his learning, denying his integrity, denying him every judicial quality, and every quality that may define a good man, before half the counties in the State. Is not this about as infallible a recipe as you could wish to make a judge a respecter of persons ? Will it not inevitably load him with the suspicion of partiality, whether he deserves it or not ? Is it happily calculated altogether to fix on him the love, trust, and affectionate admiration of the general community with which you agree he ought to be clothed, as with a robe, or he fills his great office in vain ? Who does not shrink from such temptation to be partial ? Who does not shrink from the suspicion of being thought so ? What studious and learned man, of a true self-respect, fitted the most preëminently for the magistracy by these very qualities and tastes, would subject himself to an ordeal so coarse, and so inappropriate, for the chance of getting to a position where no human purity or ability could assure him a trial by his merits ?

But you will not make judges elective. What is to

be feared is, that instead of attempting a larger mischief, in which you must fail, you will attempt a smaller, in which you may succeed. You will not change the system which has worked so well, very much, you say, but you will change it some; and therefore you will continue to appoint by the governor. But instead of appointing during good behavior, subject to impeachment, and subject to removal by the legislature, you will appoint him for a term of years — five years, seven years, ten years.

Well, Sir, without repeating that no reason for any change is shown, and that no manner of evidence has been produced to prove that this project of executive appointment, for limited terms, has ever succeeded anywhere — pretty important considerations for thoughtful persons, likely to weigh much with the people — there are two objections to this system, which ought, in my judgment, to put it out of every head. And, in the first place, it will assuredly operate to keep the ablest men from the bench. You all agree that you would have there the ablest man whom three thousand dollars or twenty-one hundred dollars per annum will command. The problem is, one part of the problem is, how shall we get the best judge for that money?

And now, if my opinion is worth any thing, I desire to express it with all possible confidence, that this change of tenure will infallibly reduce the rate of men whom you will have on the bench. Not every one, in all respects equal to it, can afford it now. It has been said, and is notorious, that it is offered and rejected. The consideration of its permanence is the decisive one in its favor, whoever

accepts it. The salary is inadequate, but if it is certain, certain as good judicial behavior—it ought not to be more so—it may be thought enough. Deprive it of that moral makeweight, and it is nothing. Why should a lawyer, accumulating, or living, by his practice, look at a judgeship of ten years? What does he see and fear? At the end of that time he is to descend from the bench, a man forty-five or fifty or sixty years of age, without a dollar, or certainly requiring some means of increasing his income. Every old client is lost by this time, and he is to begin life as he began it twenty or thirty years before. Not quite so, even. Then he was young, energetic, and sanguine. He is older now, and is less disposed to the contentious efforts of the law. More than that, he is less equal to them for another reason than the want of youth. If he has, during the full term of ten years, been good for any thing; if he has been “a judge, altogether a judge, and nothing but a judge,” then his whole intellectual character and habits will have undergone a change, itself incapable of change. He will have grown out of the lawyer into the magistrate. He will have put off the gown of the bar, and have assumed the more graceful and reverend ermine of the bench. The mental habits, the mental faults of the advocate, the faults ascribed by satire to the advocate, the faults or habits of his character, the zeal, the constant energy bestowed on all causes alike; the tendencies, and the power to aggravate and intensify one side of a thesis, and forget or allow inadequate importance to the other—these, if he has been a good judge, or tried his best to be a good judge for ten years, he has lost, he has

conquered, and has acquired in their place that calmer and that fairer capacity to see the thing, fact, or law, just as it is. Thus changed, it will be painful to attempt to recover the advocate again; it will be impracticable, if it is attempted. To regain business, he must find new clients; to find or keep them, he must make himself over again. Accordingly, how rare are the cases where any man above the age of forty, after having served ten years on the bench, seeking to cultivate judicial habits, and win a true judicial fame, has returned to a full business at the bar. I never heard of one. Such a retired judge may act as a referee. He may engage somewhat in chamber practice, as it is called, though the result of all my observation has been, that unless he *can attend his opinions through court; can there explain and defend them; unless he can keep his hand so much in that he feels and knows at all times which way the judicial mind is tending on the open questions of the law*—his chamber practice holds out a pretty slender promise for the decline of a life unprovided for. He who would be a lawyer, must unite the study of the books and the daily practice of the courts, or his very learning will lead him astray.

I have been amused at the excellent reasons given to show why an able man, at the head of the bar, in full practice, forty years of age, a growing family and no property, should just as soon accept a judgeship for ten years as during good behavior. Some say a judge never lives but ten years on the bench—or thirteen at the outside—anyhow. They show statistics for it. They propose, therefore, to go to such a man and tender him the situation. He will



inconsiderately answer that he should like the bench; thinks he could do something for the law; should rejoice to give his life to it; but that the prospect of coming off at fifty, and going back to begin battling it again with "these younger strengths," is too dreary, and he must decline. "Bless you," say the gentlemen, "don't trouble yourself about that, if that is all. You can't live but thirteen years, the best way you can fix it. Here is the secretary's report — with a printed list as long as a Harvard College catalogue — putting that out of all question!" Do you think this will persuade him? Does he expect to die in ten years? Who does so? Did the names on these statistics?

Others guess that the ten-years judge will be reappointed, if he behaves well. But unless he is a very weak man indeed, will he rely on that? Who will assure it to him? Does he not know enough of life to know how easy it will be, after he has served the State, the law, his conscience and his God for the stipulated term; after the performance of his duty has made this ambitious young lawyer or that powerful client his enemy for life; after having thus stood in the way of a greedy competitor too long — how easy it will be to bring influences to bear on a new governor, just come in at the head of a flushed and eager party, to allow the old judge's commission to expire, and appoint the right sort of a man in his place? Does he not know how easy it will be to say, "Yes, he is a good judge enough, but no better than a dozen others who have just put you in power; there are advantages in seating a man on the bench who is fresh from the bar; there is no injustice to

the incumbent — didn't he know that he ran this risk?" Too well he knows it, Sir, to be tickled by the chance of "finding the doom of man reversed for him," and he will reject the offer.

Herein is great and certain evil. How you can disregard it — how you can fail to appreciate what an obvious piece of good economy it is; economy worthy of statesmen — binding on your conscience; to so construct your system as to gain for the bench the best man whom three thousand dollars per annum can be made to command, passes all comprehension. Surely you will not reply that there "will be enough others to take it." If the tendency of what you propose is appreciably to lessen the chances of obtaining the best, is it any excuse to say that fools will rush in where others will not tread?

But there is still another difficulty. He who does accept it, and performs as an hireling his day, will not only be an ordinary man comparatively, at the start, but he holds a place, and is subjected to influences, under which it will be impossible to maintain impartiality, and the reputation of impartiality; impossible to earn and keep that trust, and confidence, and affectionate and respectful regard, which the judge must have, or he is but half a judge.

I have sometimes thought that the tenure of good behavior has one effect a little like that which is produced by making the marriage tie indissoluble. If the "contract which renovates the world" were at the pleasure of both parties, they would sometimes, often, quarrel and bring about a dissolution in a month. But they know they have embarked for life — for good and ill — for better and worse; and they

bear with one another; they excuse one another — they help one another — they make each other to be that which their eyes and their hearts desire. A little so in the relation of the judge to the bar and the community. You want to invest him with honor, love, and confidence. If every time when he rules on a piece of evidence, or charges the jury, a young lawyer can say, half aloud in the bar, or his disappointed client can go to the next tavern to say, “My good fellow, we will have you down here in a year or two — you shall answer for this — make the most of your time” — and so forth; is it favorable to the culture of such sentiments? Does it tend to beget that state of mind towards him in the community which prompts “the ear to bless him, and the eye to give witness to him?” Does it tend in him to “ripen that dignity of disposition which grows with the growth of an illustrious reputation; and becomes a sort of pledge to the public for security?” Show to the bar, and to the people, a judge by whom justice is to be dispensed for a lifetime, and all become mutually coöperative, respectful, and attached.

And still further. This ten-years judge of yours is placed in a situation where he is in extreme danger of feeling, and of being suspected of feeling so anxious a desire to secure his reappointment, as to detract, justly or unjustly, somewhat from that confidence in him without which there is no judge. It is easy for the gentleman from Abington [Mr. Keyes] to feel and express, with his habitual energy, indignation at the craven spirit which could stoop to do any thing to prolong his term of office? It is easy,

but is it to the purpose? All systems of judicial appointment and tenure suppose the judge to be a mortal man, after all; and all of them that are wise, and well tried, aim to fortify, guard, and help that which his Maker has left fallible and infirm. To inveigh against the lot of humanity is idle. Our business is to make the best of it; to assist its weakness; make the most of its virtue; by no means, by no means to lead it into any manner of temptation. He censures God, I have heard, who quarrels with the imperfections of man. Do you not, however, tempt the judge, as his last years are coming, to cast about for reappointment; to favor a little more this important party, or this important counsel, by whom the patronage of the future is to be dispensed? He will desire to keep his place, will he not? You have disqualified him for the more active practice of his profession. He needs its remuneration. Those whom he loves depend on it. The man who can give it, or withhold it, is before him for what he calls justice; on the other side is a stranger without a name. Have you placed him in no peril? Have you so framed your system, as to do all that human wisdom can do—to “secure a trial as impartial as the lot of humanity will admit”? If not, are we quite equal to the great work we have taken in hand?

There are two or three more general observations with which I leave the subject, which the pressure on your time, and my own state of health, unfit me for thoroughly discussing.

In constructing our judicial system, it seems to me not unwise so to do it, that it shall rather operate, if

possible, to induce young lawyers to aspire to the honors of the bench, not by means of party politics, but by devoting themselves to the still and deep studies of this glorious science of the law. A republic, it is said, is one great scramble for office, from the highest to the lowest in the State. The tendencies certainly are to make every place a spoil for the victor, and to present to abilities and ambition *active service in the ranks of party, victory under the banner, and by the warfare of party*, as the quickest and easiest means of winning every one. How full of danger to justice, and to security, and to liberty, are such tendencies, I cannot here and now pause to consider. These very changes of the judicial system, facilitating the chances of getting on the bench by party merits and party titles, will give strength incalculable to such tendencies. How much wiser to leave it as now, were it only to present motives to the better youth of the profession to withdraw from a too active and vehement political life ; to conceive, in the solitude of their libraries, the idea of a great judicial fame and usefulness ; and by profound study and the manly practice of the profession alone seek to realize it ; to so prepare themselves, in mind, attainments, character, to become judges by being lawyers only, that when the ermine should rest on them, it should find, as was said of Jay — as might be said of more than one on the bench of both our Courts, of one trained by our system for the bench of the Supreme National Court — it should find “nothing that was not whiter than itself.”

I do not know how far it is needful to take notice of an objection by the gentleman from Fall River

[Mr. Hooper,] and less or more by others, to the existing system, on the ground that it is monarchical, or anti-republican, or somehow inconsistent with our general theories of liberty. He has dwelt a good deal on it; he says we might just as well appoint a governor or a representative for life, or good behavior, as a judge; that it is fatally incompatible with our frame of government, and the great principles on which it reposes. One word to this. It seems to me that such an argument forgets that our political system, while it is purely and intensely republican, within all theories, aims to accomplish a twofold object, to wit: liberty and security. To accomplish this twofold object we have established a twofold set of institutions and instrumentalities; some of them designed to develop and give utterance to one; some of them designed to provide permanently and constantly for the other; some of them designed to bring out the popular will in its utmost intensity of utterance; some of them designed to secure life, and liberty, and character, and happiness, and property, and equal and exact justice, against all will, and against all power. These institutions and instrumentalities in their immediate mechanism and workings are as distinct and diverse, one from the other, as they are in their offices, and in their ends. But each one is the more perfect for the separation; and the aggregate result is our own Massachusetts.

Thus, in the law-making department, and in the whole department of elections to office of those who make and those who execute the law, you give the utmost assistance to the expression of liberty. You

give the choice to the people. You make it an annual choice; you give it to the majority; you make, moreover, a free press; you privilege debate; you give freedom to worship God according only to the dictates of the individual conscience. These are the mansions of liberty; here are her arms, and here her chariot. In these institutions we provide for her; we testify our devotion to her; we show forth how good and how gracious she is — what energies she kindles; what happiness she scatters; what virtues, what talents wait on her — vivifying every atom, living in every nerve, beating in every pulsation.

But to the end that one man, that the majority, may not deprive any of life, liberty, property, the opportunity of seeking happiness, there are institutions of security. There is a Constitution to control the government. There is a separation of departments of government. There is a judiciary to interpret and administer the laws, “that every man may find his *security* therein.” And in constituting these provisions for security, you may have regard mainly to the specific and separate objects which they have in view. You may very fitly appoint few judges only. You may very fitly so appoint them as to secure learning, impartiality, the love and confidence of the State; because thus best they will accomplish the sole ends for which they are created at all. If to those ends, too, it has been found, in the long run, as human nature is, that it is better to give them a tenure of good behavior, you may do so without departing in the least degree from either of the two great objects of our political system.

You promote one of them directly by doing so. You do it without outrage on the other. Your security is greater; your liberty is not less. You assign to liberty her place, her stage, her emotions, her ceremonies; you assign to law and justice theirs. The stage, the emotions, the visible presence of liberty, are in the mass meeting; the procession by torchlight; at the polls; in the halls of legislation; in the voices of the press; in the freedom of political speech; in the energy, intelligence and hope, which pervade the mass; in the silent, unreturning tide of progression. But there is another apartment, smaller, humbler, more quiet, down in the basement story of our capitol—appropriated to justice, to security, to reason, to restraint; where there is no respect of persons; where there is no high nor low, no strong nor weak; where will is nothing, and power is nothing, and numbers are nothing—and all are equal, and all secure, before the law. Is it a sound objection to your system, that in that apartment you do not find the symbols, the cap, the flag of freedom? Is it any objection to a court-room that you cannot hold a mass meeting in it while a trial is proceeding? Is liberty abridged, because the procession returning by torchlight, from celebrating anticipated or actual party victory, cannot pull down a half dozen houses of the opposition with impunity; and because its leaders awake from the intoxications of her *saturnalia* to find themselves in jail for a riot? *Is it any objection that every object of the political system is not equally provided for in every part of it?* No, Sir. “Every thing in its place, and a place for every thing!” *If the result is an aggregate of social and*



*political perfection, absolute security combined with as much liberty as you can live in, that is the state for you! Thank God for that; let the flag wave over it; die for it!*

One word only, further, and I leave this subject. It has been maintained, with great force of argument, by my friend for Manchester, that there is no call by the people for any change of the judicial system. Certainly there is no proof of such a call. The documentary history of the Convention utterly disproves it. But that topic is exhausted. I wished to add only, that my own observation, as far as it has gone, disproves it too. I have lost a good many causes, first and last; and I hope to try, and expect to lose, a good many more; but I never heard a client in my life, however dissatisfied with the verdict, or the charge, say a word about changing the tenure of the judicial office. I greatly doubt, if I have heard as many as three express themselves dissatisfied with the judge; though times without number they have regretted that he found himself compelled to go against them. My own tenure I have often thought in danger—but I am yet to see the first client who expressed a thought of meddling with that of the court. What is true of those clients, is true of the whole people of Massachusetts. Sir, that people have two traits of character—just as our political system in which that character is shown forth has two great ends. They love liberty; that is one trait. They love it, and they possess it to their hearts' content. Free as storms to-day do they not know it, and feel it—every one of them, from the sea to the Green Mountains? But there is

another side to their character ; and that is the old Anglo-Saxon instinct of property ; the rational and the creditable desire to be secure in life, in reputation, in the earnings of daily labor, in the little all which makes up the treasures and the dear charities of the humblest home ; the desire to feel certain when they come to die that the last will shall be kept, the smallest legacy of affection shall reach its object, although the giver is in his grave ; this desire, and the sound sense to know that a learned, impartial, and honored judiciary is the only means of having it indulged. They have nothing timorous in them, as touching the largest liberty. They rather like the exhilaration of crowding sail on the noble old ship, and giving her to scud away before a fourteen-knot breeze ; but they know, too, that if the storm comes on to blow ; and the masts go overboard ; and the gun-deck is rolled under water ; and the lee shore, edged with foam, thunders under her stern, that the sheet anchor and best bower then are every thing ! Give them good ground-tackle, and they will carry her round the world, and back again, till there shall be no more sea.

SPEECH DELIVERED AT THE CONSTITUTIONAL MEETING IN FANEUIL HALL.

NOVEMBER 26, 1850.

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[“The Citizens of Boston and its vicinity, who reverence the Constitution of the United States ; who wish to discountenance a spirit of disobedience to the laws of the land, and refer all questions arising under those laws to the proper tribunals ; who would regard with disfavor all further popular agitation of subjects which endanger the peace and harmony of the Union, and who deem the preservation of the Union the paramount duty of every citizen, are requested to meet and express their sentiments on the present posture of public affairs, in Faneuil Hall, Nov. 26, 1850, at 4 o'clock P.M.”]

The above call having been published in the newspapers, and posted up in the “Merchants’ Reading Room” for some days, received the signatures of about five thousand citizens of Massachusetts, and the meeting was convened agreeably to the request therein expressed.

At a few minutes before four o'clock the Committee of Arrangements came in, and were received with loud cheers. At four o'clock, precisely, Thomas B. Curtis, Esq., mounted the rostrum, and nominated for President John C. Warren.

A series of resolutions having been read, the meeting was addressed by B. R. Curtis, B. F. Hallett, and S. D. Bradford; after which Mr. Choate spoke as follows:]

I FEEL it, Fellow-citizens, to be quite needless, for any purpose of affecting your votes now, or your judgment and acts for the future, that I should add

a word to the resolutions before you, and to the very able addresses by which they have been explained and enforced. All that I would have said has been better said. In all that I would have suggested, this great assembly, so true and ample a representation of the sobriety, and principle, and business, and patriotism of this city and its vicinity,—if I may judge from the manner in which you have responded to the sentiments of preceding speakers,—has far outrun me. In all that I had felt and reflected on the supreme importance of this deliberation, on the reality and urgency of the peril, on the indispensable necessity which exists, that an effort be made, and made at once, combining the best counsels, and the wisest and most decisive action of the community,—an effort to turn away men's thoughts from those things which concern this part or that part, to those which concern the whole of our America—to turn away men's solicitude about the small politics that shall give a State administration this year to one set, and the next year to another set, and fix it on the grander politics by which a nation is to be held together—to turn away men's hearts from loving one brother of the national household, and hating and reviling another, to that larger, juster, and wiser affection which folds the whole household to its bosom—to turn away men's conscience and sense of moral obligation from the morbid and mad pursuit of a single duty, and indulgence of a single sentiment, to the practical ethics in which all duties are recognized, by which all duties are reconciled, and adjusted, and subordinated, according to their rank, by which the sacredness of compacts is holden to be as real as the virtue

of compassion, and the supremacy of the law declared as absolute as the luxury of a tear is felt to be sweet — to turn away men's eyes from the glare of the lights of a philanthropy — they call it philanthropy — some of whose ends may be specious, but whose means are bad faith, abusive speech, ferocity of temper, and resistance to law; and whose fruit, if it ripens to fruit, will be woes unnumbered to bond and free, — to turn all eyes from the glitter of such light to the steady and unalterable glory of that wisdom, that justice, and that best philanthropy under which the States of America have been enabled and may still be enabled to live together in peace, and grow together into the nature of one people, — in all that I had felt and reflected on these things, you have outrun my warmest feelings and my best thoughts. What remains, then, but that I congratulate you on at least this auspicious indication, and take my leave? One or two suggestions, however, you will pardon to the peculiarity of the times.

I concur then, *first*, Fellow-citizens, with one of the resolutions, in expressing my sincerest conviction that the Union is in extreme peril this day. Some good and wise men, I know, do not see this; and some not quite so good or wise deny that they see it. I know very well that to sound a false alarm is a shallow and contemptible thing. But I know, also, that too much precaution is safer than too little, and I believe that less than the utmost is too little now. Better, it is said, to be ridiculed for too much care, than to be ruined by too confident a security. I have then a profound conviction that the Union is yet in danger. It is true that it has passed through one peril within

the last few months, — such a peril, that the future historian of America will pause with astonishment and terror when he comes to record it. The sobriety of the historic style will rise to eloquence, — to pious ejaculation, — to thanksgivings to Almighty God, — as he sketches that scene and the virtues that triumphed in it. “Honor and praise,” will he exclaim, “to the eminent men of all parties — to Clay, to Cass, to Foote, to Dickinson, to Webster — who rose that day to the measure of a true greatness, — who remembered that they had a country to preserve as well as a local constituency to gratify, — who laid all the wealth, and all the hopes of illustrious lives on the altar of a hazardous patriotism, — who reckoned all the sweets of a present popularity for nothing in comparison of that more exceeding weight of glory which follows him who seeks to compose an agitated and save a sinking land.”

That night is passed, and that peril; and yet it is still night, and there is peril still. And what do I mean by this? I believe, and rejoice to believe, that the general judgment of the people is yet sound on this transcendent subject. But I will tell you where I think the danger lies. It is, that while the people sleep, politicians and philanthropists of the legislative hall — the stump, and the press — will talk and write us out of our Union. Yes — while you sleep, while the merchant is loading his ships, and the farmer is gathering his harvests, and the music of the hammer and shuttle wake around, and we are all steeped in the enjoyment of that vast and various good which a common government places within our reach — there are influences that never sleep, and which are creating

and diffusing a PUBLIC OPINION, in whose hot and poisoned breath, before we yet perceive our evil plight, this Union may melt as frost-work in the sun. Do we sufficiently appreciate how omnipotent is opinion in the matter of all government? Do we consider especially in how true a sense it is the creator, must be the upholder, and may be the destroyer of our united government? Do we often enough advert to the distinction, that while our State governments *must* exist almost of necessity, and with no effort from within or without, the UNION of the States is a totally different creation — more delicate, more artificial, more recent, far more truly a mere production of the reason and the will — standing in far more need of an ever-surrounding care, to preserve and repair it, and urge it along its highway? Do we reflect that while the people of Massachusetts, for example, are in all senses one — not *E Pluribus Unum* — but one single and uncompounded substance, so to speak — and while every influence that can possibly help to hold a social existence together — identity of interest; closeness of kindred; contiguity of place; old habit; the ten thousand opportunities of daily intercourse; every thing — is operating to hold such a State together, so that it must exist whether we will or not, and “cannot, but by annihilating, die” — the people of America compose a totally different community — a community miscellaneous and widely scattered; that they are many States, not one State, or, if one, made up of many which still coexist; that numerous influences of vast energy, influences of situation, of political creeds, of employments, of supposed or real diversities of material in-

terest, tend evermore to draw them asunder ; and that is not, as in a single State, that instinct, custom, a long antiquity, closeness of kindred, immediate contiguity, the personal intercourse of daily life and the like, come in to make and consolidate the grand incorporation, whether we will or not ; but that is to be accomplished by carefully cultivated and acquired habits and states of feeling ; by an enlightened discernment of great interests, embracing a continent and a future age ; by a voluntary determination to love, honor, and cherish, by mutual tolerance, by mutual indulgence of one another's peculiarities, by the most politic and careful withdrawal of our attention from the offensive particulars in which we differ, and by the most assiduous development and appreciation, and contemplation of those things wherein we are alike — do we reflect as we ought, that it is only thus — by varieties of expedients, by a prolonged and voluntary educational process, that the fine and strong spirit of NATIONALITY may be made to penetrate and animate the scarcely congruous mass — and the full tide of American feeling to fill the mighty heart ?

I have sometimes thought that the States in our system may be compared to the primordial particles of matter, indivisible, indestructible, impenetrable, whose natural condition is to repel each other, or, at least, to exist in their own independent identity, — while the Union is an artificial aggregation of such particles ; a sort of *forced state*, as some have said, of life ; a complex structure made with hands, which gravity, attrition, time, rain, dew, frost, not less than tempest and earthquake, coöperate to waste away, and which the anger of a fool — or the laughter



of a fool—may bring down in an hour; a system of bodies advancing slowly through a *resisting medium*, operating at all times to retard, and at any moment liable to arrest its motion; a beautiful, yet fragile creation, which a breath can unmake, as a breath has made it.

And now, charged with the trust of holding together such a nation as this, what have we seen? What do we see to-day? Exactly this. It has been for many months—years, I may say; but, assuredly for a long season—the peculiar infelicity, say, rather, terrible misfortune of this country, that the attention of the people has been fixed without the respite of a moment, exclusively, on one of those subjects—the only one—on which we disagree precisely according to geographical lines. And not so only, but this subject has been one—unlike tariff, or internal improvements, or the disbursement of the public money, on which the dispute cannot be maintained, for an hour, without heat of blood, mutual loss of respect, alienation of regard—menacing to end in hate, strong and cruel as the grave.

I call this only a terrible misfortune. I blame here and now no man and no policy for it. Circumstances have forced it upon us all; and down to the hour that the series of compromise measures was completed and presented to the country, or certainly to congress, I will not here and now say, that it was the fault of one man, or one region of country, or one party more than another.

“ But the pity of it, Iago — the pity of it ! ”

How appalling have been its effects; and how deep and damning will be his guilt who rejects the opportunity of reconciliation, and continues this accursed agitation, without necessity, for another hour!

Why, is there any man so bold or blind as to say he believes that the scenes through which we have been passing, for a year, have left the American heart where they found it? Does any man believe that those affectionate and respectful regards, that attachment and that trust, those "cords of love and bands of a man" — which knit this people together as one, in an earlier and better time, — are as strong to-day as they were a year ago? Do you believe that there can have been so tremendous an apparatus of influences at work so long, some designed, some undesigned, but all at work in one way, that is, to make the two great divisions of the national family hate each other, and yet have no effect? Recall what we have seen in that time, and weigh it well! Consider how many hundreds of speeches were made in congress — all to show how extreme and intrepid an advocate the speaker could be of the extreme Northern sentiment, or the extreme Southern sentiment. Consider how many scores of thousands of every one of those speeches were printed and circulated among the honorable member's constituents, — not much elsewhere, — the great mass of whom agreed with him perfectly, and was only made the more angry and more unreasonable by them. Consider what caballings and conspirings were going forward during that session in committee rooms and members' chambers, and think of their private correspondence with enterprising waiters on events. Turn to the American newspaper

press, secular and religious — every editor — or how vast a proportion! transformed into a manufacturer of mere local opinion — local opinion — local opinion — working away at his battery — big or little — as if it were the most beautiful operation in the world to persuade one half of the people how unreasonable and how odious were the other half. Think of conventions sitting for secession and dismemberment, by the very tomb of Jackson — the “buried majesty” not rising to scatter and blast them. Call to mind how many elections have been holden — stirring the wave of the people to its profoundest depths — all turning on this topic. Remember how few of all who help to give direction to general sentiment, how few in either house of congress, what a handful only of editors and preachers and talkers have ventured anywhere to breathe a word above a whisper to hush or divert the pelting of this pitiless storm; and then consider how delicate and sensitive a thing is public opinion, — how easy it is to mould and color and kindle it, and yet that, when moulded and colored and fired, not all the bayonets and artillery of Borodino can maintain the government which it decrees to perish; and say if you have not been encompassed, and are not now, by a peril awful indeed! Say if you believe it possible that a whole people can go on — a reading and excitable people — hearing nothing, reading nothing, talking of nothing, thinking of nothing, sleeping and waking on nothing, for a year, but one incessant and vehement appeal to the strongest of their passions, — to the pride, anger, and fear of the South, to the philanthropy, humanity, and conscience of the North, — one half of it aimed to

persuade you that they were cruel, ambitious, indolent, and licentious, and therefore hateful; and the other half of it to persuade them that you were desperately and hypocritically fanatical and aggressive, and therefore hateful—say, if an excitable people can go through all this, and not be the worse for it! I tell you nay. Such a year has sowed the seed of a harvest, which, if not nipped in the bud, will grow to armed men, hating with the hate of the brothers of Thebes.

It seems to me as if our hearts were changing. Ties the strongest, influences the sweetest, seem falling asunder as smoking flax. I took up, the day before yesterday, a religious newspaper, published in this city, a leading Orthodox paper, I may describe it, to avoid misapprehension. The first thing which met my eye was what purported to be an extract from a Southern religious newspaper, denouncing the Boston editor, or one of his contributors, as an infidel—in just so many words—on the ground that one of his anti-slavery arguments implied a doctrine inconsistent with a certain text of the New Testament. Surely, I said to myself, the Christian thus denounced will be deeply wounded by such misconstruction; and as he lives a thousand miles away from slavery, as it really does not seem to be his business, as it neither picks his pocket nor breaks his leg, and he may, therefore, afford to be cool, while his Southern brother lives in the very heart of it, and may, naturally enough, be a little more sensitive, he will try to soothe him, and win him, if he can, to reconsider and retract so grievous an objurgation. No such thing! To be called an infidel, says he, by this Southern Presby-

terian, I count a real honor! He thereupon proceeds to denounce the slave-holding South as a downright Sodom, — leaves a pretty violent implication that his Presbyterian antagonist is not one of its few righteous, whoever else is — and without more ado sends him adrift. Yes, Fellow-citizens, more than the Methodist Episcopal Church is rent in twain. But if these things are done in the green tree, what shall be done in the dry? If the spirit of Christianity is not of power sufficient to enable its avowed professors to conduct this disputation of hatred with temper and decorum, — to say nothing of charity, — what may we expect from the hot blood of men who own not, nor comprehend the law of love?

I have spoken what I think of the danger that threatens the Union. I have done so more at length than I could have wished, because I know that, upon the depth of our convictions and the sincerity of our apprehensions upon this subject, the views we shall take of our duties and responsibilities must all depend.

If you concur with me that there is danger, you will concur with me, in the *second place*, that thoughtful men have something to do to avert it; and what is that? It is not, in my judgment, Fellow-citizens, by stereotyped declamation on the utilities of the Union to South or North that we can avert the danger. It is not by shutting our eyes and ears to it that we can avert it. It is not by the foolish prattle of "Oh, those people off there need the Union more than we, and will not dare to quit." It is not by putting arms a-kimbo here or there and swearing that we will stand no more bullying; and if any-

body has a mind to dissolve the Union, let him go ahead. Not thus, not thus, felt and acted that generation of our fathers, who, out of distracted counsels, the keen jealousies of States, and a decaying nationality, by patience and temper as admirable as their wisdom, constructed the noble and proportioned fabric of our federal system. "Oh, rise some other such!"

No, Fellow-citizens — there is something more and other for us to do. And what is that? Among other things, chiefly this: to accept that whole body of measures of compromise, as they are called, by which the government has sought to compose the country, in the spirit of 1787, — and then that henceforward every man, according to his measure, and in his place, in his party, in his social, or his literary, or his religious circle, in whatever may be his sphere of influence, set himself to suppress the further political agitation of this whole subject.

Of these measures of compromise I may say, in general, that they give the whole victory to neither of the great divisions of the country, and are therefore the fitter to form the basis of a permanent adjustment. I think that under their operation and by the concurrence of other agencies it will assuredly come to pass, that on all that vast accession of territory beyond and above Texas no slave will ever breathe the air, and I rejoice at that. They abolish the slave-trade in the District of Columbia, and I rejoice at that. They restore the fugitive to the master, — and while I mourn that there is a slave who needs to run, or a master who desires to pursue, I should be unworthy of the privilege of addressing

this assembly, if I did not declare that I have not a shadow of doubt that congress has the constitutional power to pass this law just as it is, and had no doubt, before I listened to the clear and powerful argument of Mr. Curtis to-night, that it was out of all question their duty to pass some effectual law on the subject, and that it is incumbent on every man who recognizes a single obligation of citizenship to assist, in his spheres, in its execution.

Accepting, then, these measures of constitutional compromise, in the spirit of Union, let us set ourselves to suppress or mitigate the political agitation of slavery.

*And, in the first place,* I submit that the two great political parties of the North are called upon by every consideration of patriotism and duty to strike this whole subject from their respective issues. I go for no amalgamation of parties, and for the forming of no new party. But I admit the deepest solicitude that those which now exist, preserving their actual organization and general principles and aims,—if so it must be,—should to this extent coalesce. Neither can act in this behalf effectually alone. Honorable concert is indispensable, and they owe it to the country. Have not the eminent men of both these great organizations united on this adjustment? Are they not both primarily national parties? Is it not one of their most important and beautiful uses that they extend the whole length and breadth of our land, and that they help or ought to help to hold the extreme North to the extreme South by a tie stronger almost than that of mere patriotism, by that surest cement of friendship,—common opinions on the

great concerns of the Republic? You are a Democrat; and have you not for thirty-two years in fifty united with the universal Democratic party in the choice of Southern presidents? Has it not been your function for even a larger part of the last half century to rally with the South for the support of the general administration? Has it not ever been your boast, your merit as a party, that you are in an intense, and even characteristic degree, national and Unionist in your spirit and politics, although you had your origin in the assertion of State rights; that you have contributed in a thousand ways to the extension of our territory and the establishment of our martial fame; and that you follow the flag on whatever field or deck it waves?—and will you for the sake of a temporary victory in a State, or for any other cause, insert an article in your creed and give a direction to your tactics which shall detach you from such companionship and unfit you for such service in all time to come?

You are a Whig — I give you my hand on that — and is not your party national too? Do you not find your fastest allies at the South? Do you not need the vote of Louisiana, of North Carolina, of Tennessee, of Kentucky, to defend you from the redundant capital, matured skill, and pauper labor of Europe? Did you not just now, with a wise contempt of sectional issues and sectional noises, unite to call that brave, firm, and good OLD MAN from his plantation, and seat him with all the honors in the place of Washington? Circumstances have forced both of these parties — the Northern and the Southern divisions of both — to suspend for a space the legitimate



objects of their institution. For a space, laying them aside, and resolving ourselves into our individual capacities, we have thought and felt on nothing but slavery. Those circumstances exist no longer, — and shall we not instantly revive the old creeds, renew the old ties, and by manly and honorable concert resolve to spare America that last calamity, — the formation of parties according to geographical lines?

I maintain, in the *second place*, that the CONSCIENCE of this community has a duty to do, not yet adequately performed; and that is, on grounds of moral obligation, not merely to call up men to the obedience of law, but on the same grounds to discourage and modify the further agitation of this topic of slavery, *in the spirit in which, thus far, that agitation has been conducted*. I mean to say, that our moral duties, not at all less than our political interests, demand that we accept this compromise, and that we promote the peace it is designed to restore.

Fellow-citizens, was there ever a development of sheer fanaticism more uninstructed, or more dangerous than that which teaches that conscience prescribes the continued political, or other exasperating agitation of this subject? That it will help, in the least degree, to ameliorate the condition of one slave, or to hasten the day of his emancipation, I do not believe, and no man can be certain that he knows. But the philanthropist, so he qualifies himself, will say that slavery is a relation of wrong, and, whatever becomes of the effort, conscience impels him to keep up the agitation till the wrong, somehow, is ended. Is he, I answer, quite sure that a conscience enlight-

ened to a comprehension and comparison of all its duties impels him to do any such thing? Is he quite sure that that which an English or French or German philanthropist might in conscience counsel or do, touching this matter of Southern slavery, that that also he, the American philanthropist, may, in conscience, counsel or do? Does it go for nothing in his ethics, that he stands, that the whole morality of the North stands, in a totally different relation to the community of the South from that of the foreign propagandist, and that this relation may possibly somewhat—ay, to a vast extent—modify all our duties? Instead of hastily inferring that, because those States are *sister States*, you are bound to meddle and agitate, and drive pitch-pine knots into their flesh and set them on fire, may not the fact that they are *sister States* be the very reason why, though others may do so, you may not? In whomsoever else these enterprises of an offensive and aggressive morality are graceful or safe or right, are you quite sure that in you they are either graceful or safe or right?

I have heard that a great statesman, living in the North, but living and thinking for the country, has been complained of for saying that we have no more to do with slavery in the South, than with slavery in Cuba. Are you quite sure that the sentiment went far enough? Have we quite as much to do—I mean can we wisely or morally assume to do quite as much—with Southern as with Cuban slavery? To all the rest of the world we are united only by the tie of philanthropy, or universal benevolence, and our duties to that extent flow from that tie. All that

such philanthropy prompts us to print or say or do, touching slavery in Cuba, we may print, say, or do, for what I know or care, subject, I would recommend, to the restraints of common sense, and taking reasonable thought for our personal security. But to America—to *our America*, we are united by another tie, and may not a principled patriotism, on the clearest grounds of moral obligation, limit the sphere and control the aspirations and prescribe the flights of philanthropy itself?

*In the first place*, remember, I entreat you, that on considerations of policy and wisdom—truest policy, profoundest wisdom, for the greater good and the higher glory of America—for the good of the master and slave, now and for all generations—you have entered with the Southern States into the most sacred and awful and tender of all the relations,—the relation of country; and therefore, that you have, expressly and by implication, laid yourselves under certain restraints; you have pledged yourselves to a certain measure, and a certain spirit of forbearance; you have shut yourselves out from certain fields and highways of philanthropic enterprise—open to you before, open to the rest of the world now;—but from which, *in order to bestow larger and mightier blessings on man, in another way*, you have agreed to retire.

Yes, we have entered with them into the most sacred, salutary, and permanent of the relations of social man. We have united with them in that great master performance of human beings, that one work on which the moralists whom I love concur in supposing that the Supreme Governor looks down

with peculiar complacency, the building of a Commonwealth. Finding themselves side by side with those States some sixty years ago in this new world, thirteen States of us then in all! thirty-one to-day, — touching one another on a thousand points, — discerning perfectly that, unless the doom of man was to be reversed for them, there was no alternative but to become dearest friends or bitterest enemies, — so much Thucydides and the historians of the beautiful and miserable Italian republics of the Middle Age had taught them, — drawn together, also felicitously, by a common speech and blood, and the memory of their recent labor of glory, — our fathers adopted the conclusion that the best interests of humanity, in all her forms, demanded that we should enter into the grand, sacred, and tender relations of country. All things demanded it, — the love of man, the hopes of liberty, — all things. Hereby, only, can America bless herself, and bless the world.

Consider, in the *next place*, that to secure that largest good, to create and preserve a country, and thus to contribute to the happiness of man as far as that grand and vast instrumentality may be made to contribute to happiness, it became indispensable to take upon themselves, for themselves, and for all the generations who should follow, certain engagements with those to whom we became united. Some of these engagements were express. Such is that for the restoration of persons owing service according to the law of a State, and flying from it. That is express. It is written in this Constitution in terms. It was inserted in it, by what passed, sixty years ago, for the morality and religion of Massachusetts and

New England. Yes; it was written there by men who knew their Bible, Old Testament and New, as thoroughly, and revered it and its Divine Author and his Son, the Saviour and Redeemer, as profoundly as we. Others of those engagements, and those how vast and sacred, were implied. It is not enough to say that the Constitution did not give to the new nation a particle of power to intermeddle by law with slavery within its States, and therefore it has no such power. This is true, but not all the truth. No man pretends we have power to intermeddle by law. But how much more than this is implied in the sacred relation of country. It is a marriage of more than two, for more than a fleeting natural life. "It is to be looked on with other reverence." It is an engagement, as between the real parties to it, an engagement the most solemn, to love, honor, cherish, and keep through all the ages of a nation. It is an engagement the most solemn, to cultivate those affections that shall lighten and perpetuate a tie which ought to last so long. It is an engagement then, which limits the sphere, and controls the enterprises of philanthropy itself. If you discern that by violating the express pledge of the Constitution, and refusing to permit the fugitive to be restored; by violating the implied pledges; by denying the Christianity of the holder of slaves; by proclaiming him impure, cruel, undeserving of affection, trust, and regard; that by this passionate and vehement aggression upon the prejudices, institutions, and investments of a whole region — that by all this you are dissolving the ties of country; endangering its disruption; frustrating the policy on which our fathers

created it; and bringing into jeopardy the multiform and incalculable good which it was designed to secure, and would secure, — then, whatever foreign philanthropy might do, in such a prospect, — *your* philanthropy is arrested and rebuked by a “higher law.” In this competition of affections, Country, — “*omnes omnium charitates complectens*,” the expression, the sum total of all things most dearly loved, surely holds the first place.

Will anybody say that these engagements thus taken, for these ends, are but “covenants with hell,” which there is no morality and no dignity in keeping? From such desperate and shameless fanaticism — if such there is — I turn to the moral sentiments of this assembly. It is not here — it is not in this hall — the blood of Warren in the chair — the form of Washington before you — that I will defend the Constitution from the charge of being a compact of guilt. I will not here defend the Convention which framed it, and the Conventions and people which adopted it, from the charge of having bought this great blessing of country, by immoral promises, more honored in the breach than the observance. Thank God, we yet hold that that transaction was honest, that work beautiful and pure; and those engagements, in all their length and breadth and height and depth, sacred.

Yet I will say that, if to the formation of such a Union it was indispensable, as we know it was, to contract these engagements expressed and implied, no covenant made by man ever rested on the basis of a sounder morality. They tell us that although you have the strict right, according to the writers on

public law, to whom Mr. Curtis has referred, to restore the fugitive slave to his master, yet that the virtue of compassion commands you not to do so. But in order to enable ourselves to do all that good, and avert all that evil — boundless and inappreciable both — which we do and avert by the instrumentality of a Union under a common government, may we not, on the clearest moral principles, agree not to exercise compassion in that particular way? The mere virtue of compassion would command you to rescue any prisoner. But the citizen, to the end that he may be enabled, and others be enabled, to indulge a more various and useful compassion in other modes, agrees not to indulge it practically in that mode. Is such a stipulation immoral? No more so is this of the Constitution.

They tell us that slavery is so wicked a thing, that they must pursue it, by agitation, to its home in the States; and that if there is an implied engagement to abstain from doing so, it is an engagement to neglect an opportunity of doing good, and void in the forum of conscience. But was it ever heard of, that one may not morally bind himself to abstain from what he thinks a particular opportunity of doing good? A contract in general restraint of philanthropy, or any other useful calling, is void; but a contract to abstain from a specific sphere of exertion is not void, and may be wise and right. To entitle himself to instruct heathen children on week days, might not a pious missionary engage not to attempt to preach to their parents on Sunday? To win the opportunity of achieving the mighty good summed up in the pregnant language of the

preamble to the Constitution, such good as man has not on this earth been many times permitted to do or dream of, we might well surrender the privilege of reviling the masters of slaves with whom we must "either live or bear no life."

Will the philanthropist tell you that there is nothing conspicuous enough, and glorious enough for him, in thus refraining from this agitation, just because our relations to the South, under the Constitution, seem to forbid it? Ay, indeed! Is it even so? Is his morality of so ambitious and mounting a type that an effort, by the exercise of love or kindness or tolerance, to knit still closer the hearts of a great people, and thus to insure ages of peace — of progress, of enjoyment — to so vast a mass of the family of man, seems too trivial a feat? Oh, how stupendous a mistake! What achievement of philanthropy bears any proportion to the pure and permanent glory of that achievement whereby clusters of contiguous States, perfectly organized governments in themselves every one, full of energy, conscious of strength, full of valor, fond of war, — instead of growing first jealous, then hostile, — like the tribes of Greece after the Persian had retired, — like the cities of Italy at the dawn of the modern world, — are melted into one, so that for centuries of internal peace the grand agencies of amelioration and advancement shall operate unimpeded; the rain and dew of Heaven descending on ground better and still better prepared to admit them; the course of time — the Providence of God — leading on that noiseless progress whose wheels shall turn not back, whose consummation shall be in the brightness of



the latter day. What achievement of man may be compared with this achievement? For the slave, alone, what promises half so much? And this is not glorious enough for the ambition of philanthropy!

No, Fellow-citizens — first of men are the builders of empires! Here it is, my friends, here — right here — in doing something in our day and generation towards “forming a more perfect Union” — in doing something by literature, by public speech, by sound industrial policy, by the careful culture of fraternal love and regard, by the intercourse of business and friendship, by all the means within our command — in doing something to leave the Union, when we die, stronger than we found it, — here — here is the field of our grandest duties and highest rewards. Let the grandeur of such duties, let the splendor of such rewards, suffice us. Let them reconcile and constrain us to turn from that equivocal philanthropy which violates contracts, which tramples on law, which confounds the whole subordination of virtues, which counts it a light thing that a nation is rent asunder, and the swords of brothers sheathed in the bosoms of brothers, if thus the chains of one slave may be violently and prematurely broken.

## SPEECH DELIVERED IN FANEUIL HALL.

OCTOBER 31, 1855.

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I AM gratified, beyond the power of language to express, by your kindness. By this thronging audience I am even more gratified. In this alone I hope I see the doom of the geographical party. It would have been a thing portentous and mournful, if commercial Boston had not thus poured itself into this Hall, to declare, by its ten thousand voices, against the first measure tending practically and with a real menace to a separation of the States ever yet presented, or certainly in our time presented, to the judgment or the passions of the people of America. Who should be of the earliest to discern and of the wisest to decide the true great question of the day? Did anybody suppose that your intelligence could not see what a proposition to organize the people of this country into two great geographical parties must come to, if successful? Did anybody suppose that, seeing this, you would help it on, or fall asleep upon it? You, the children of the merchant princes, — you, whose profession of commerce and arts give you to know and feel, with a sort of professional consciousness and intensity, our republic to be one, — one and undivided ; one and indivisible, let us say, —

you, whose hearts, abroad, yet untravelled, have sometimes leaped up when you have seen the radiant flag, burning on the waste sea, along the desolate and distant coast, beneath unfamiliar constellations; —and when you have felt your country's great arm around you, were you expected to be indifferent upon a proposition to rend her into two great rabid factions, or to be cheated into a belief that there was no such proposition before the country at all?

Thank God, this sight dispels both branches of this misapprehension. The city is here, all right and straight out! Commerce is here! Commerce, in whose wants, on whose call, the Union, this Union, under this Constitution, began to be; Commerce that rocked the cradle is here, —not to follow the hearse, but to keep off the murderer; or, if they prefer it, to keep off the doctor!

The arts, the industry, of civilization, of intellect, and of the people, are here; they to which the mines and wheat-fields and cotton-grounds of a bountiful and common country supply that raw material which they give back in shapes of use and taste and beauty — they are here; —they who celebrated the establishment of the government by long processions of the trades, by music and banners, and thanksgiving to God, —singing together as morning stars over the rising ball, for the hope of a future of rewarded labor —they are here to bear witness, that the prayers of the fathers have been graciously heard, and to remember and to guard that instrumentality of constitutional union, to which, under his goodness, they owe all these things. Ay, and the charities, the philanthropy, the humanity, that dwell in these homes and

hearts, are here to make their protest against the first step to moral treason — charities that love all human kind; yet are comprehended all and enfolded in the dear name of country, — philanthropy and humanity — not spasmodic, not savage, not the cold phrase of the politician, not hypocritical, not impatient, but just, wise, combining, working with — not in spite of — the will of the Highest, sowing the seed with tears, with trust, and committing the harvest to the eternal years of God — these are here. Yes, we are all here. We come to ratify the ratification. We come to say to our excellent representatives in the late Convention, again and again, Well done, good and faithful! We come to engage our hearty support and our warmest good wishes for the success of the candidates they have nominated, every man of them. We come to declare that upon trying ourselves by all the approved tests, we are perfectly satisfied that we are alive; that we are glad we are alive, since there is work to do worthy of us; that we prefer to remain for the present Whigs! Constitutional Whigs! Massachusetts Whigs! Faneuil Hall Whigs! Daniel Webster and Henry Clay Whigs! — that we have no new party to choose to-night; that, when we have, we shall choose any other, ay, any other, than that which draws the black line of physical and social geography across the charmed surface of our native land, and finds a republic on one side to love, and nothing but an aristocracy to be “abhorred” and “avoided” on the other! Take any shape but that! We come to protest, with all possible emphasis and solemnity, against the inauguration, as they call it, of the party of the sections.

We say that for any object which constitutional patriotism can approve, such a party is useless. We say, that for its own avowed objects, if it has any specific and definite objects which are constitutional and just, it is useless. We say, that if defeated in its attempt to get possession of the national government, the mere struggle will insure the triumph of that very administration on which it seems to make war; will make the fortune of certain local dealers in politics; will agitate and alienate and tend to put asunder whom God hath joined. We hold that if it should succeed in that attempt, it would be the most terrible of public calamities. I, for one, do not believe that this nation could bear it. I am not, it is true, quite of the mind of the Senator from Ohio, who dared to tell an assembly in Maine, not many days since, that there is now no union between us and the South; that the pretended Union is all meretricious; that there is no heart in it; that Russia does not hate England, nor England Russia, more than the men of the North and the men of the South hate each other. The allegation is, I think, yet untrue; the pleasure, the apparent pleasure and exultation with which he uttered it, is nothing less than awful! But yet, when we keep in view, as ever we must, the grand and unalterable conditions and peculiarities of the American national life; the capital fact lying underneath, that we are historically, by constitutional law, and to a vast practical extent, a mere neighborhood of separate and sovereign States, united practically by a written league, or more accurately, by a government holding only a few great powers, and touching a few large objects; united

better, perhaps, so far as united at all, by the moral ties of blood and race, a common flag, the memory of common dangers, the heritage of a common glory ; — united thus, partially by that subtle essence of nationality, the consciousness of unity, the pride of unity, — itself a spirit of recent creation, requiring still to be solicited, to be reinforced, to be diffused ; having regard to those instrumentalities and influences, moral and physical, which encompass us ever and endanger us, and especially to the consideration that besides the centrifugal tendencies of sovereign States, impelling them ever apart, there is a line, — a dark, dark line, — almost a fissure in the granite, whose imperfect cohesion can scarcely resist the vast weight on either side ; — recollecting these things, and recollecting, too, how much more than by reason or public virtue or their true interests, men are moved by anger, pride, and force, in great civil crises, — in any way we can survey it, we cannot possibly fail to see that the process of forming such an organization, and its influence, if completely formed and fully in action, would compose a new and disturbing element in our system, which it is scarcely able to encounter, and to which no wise man and genuine Unionist would not shudder to see it exposed.

Why, look at it. Here is a stupendous fabric of architecture ; a castle ; a capitol ; suppose the capitol at Washington. It is a fortress at once, and a temple. The great central dome swells to heaven. It rests grandly on its hill by its own weight kept steadfast, and seemingly immovable ; Titan hands might have built it ; it may stand to see the age of a nation pass by. But one imperfection there is ; a seam in the

marble ; a flaw in the iron ; a break scarcely visible, yet a real vertical fissure, parting by an imperceptible opening from top to foundation the whole in two. The builder saw it, and guarded against it as well as he might ; those who followed, to repair, with pious and skilful hands, tried by underpinning, by lateral support, by buttress and buttress alternately, to hold the disjointed sides in contact. Practically, it was becoming less formidable ; the moss was beginning to conceal it, even ; and here comes a workman who proposes to knock out the well-planned lateral supports, loosen the underpinning of the ends, dig a yawning excavation under both of them, and then set on each the mountain weight of a frowning and defiant dome of its own. Down the huge pile topples in an hour. Small compensation it is that the architect of ruin finds his grave, too, beneath it !

It is to do what we may to scatter this organization in its beginnings that we are here to-night. It is for this opportunity, chiefly, that the Whigs of Massachusetts are absolutely glad that they are alive. True, we seek also to redeem Massachusetts. That last legislative year of all sorts of ignorance, and all sorts of folly, and all sorts of corruption ; not dignified, but made hateful and shameful by a small and mean mimicry of treason, withal — we would blot it all out from our proud annals for ever. The year which deserted Washburn, slighted the counsels of Clifford, struck a feeble but malignant blow at the judicial tenure, nullified a law of the Union, constitutional, if the Constitution is constitutional, — we would forget. Let it not come into the number of our months. In fact, let us talk of something else.

Yes, Whigs of Boston and Massachusetts! We strike at higher game. It is because the experiment is now making, whether a sectional party, merging and overriding all others, is possible; whether candidates for the presidency shall openly electioneer for that office, by advocating the formation of such a party, and not see the mantling cup of honors, to which they are reaching, dashed to their feet by the indignation of the whole country—it is because this experiment is making to-day, that we feel that we have a duty to do. Who of us knows that it is not his last civil labor? Who of us does not feel that if it were so, our noblest labor were our last? Were it even so, what signifies it whether we personally and politically sink or swim—live or die—survive or perish! Would not that be a bright page wherein the historian, after having recorded in the former chapters of his book the long antecedents of the Whigs,—that they held the government of this good old State, with small exception, for a quarter of a century; that they held it long enough to embody their politics in official state papers; on the statute book; in public speech; through their accredited press; in the prevailing tone and maxims of public life; long enough to see those politics bear rich, practical, autumnal fruits; that while they held power, popular education was improved; the instrumentalities of intercourse of all parts of the State with each other, and with the States beyond, were multiplied and perfected, and the universal industrial prosperity of the people advanced by the reforming hand, reforming wisely; that the sentiment of obedience to law, popular or unpopular, while law, of observance of



order, of the supremacy of the national Constitution, within its limits over the State, and of the State constitution over the legislature; of the practicability and the necessity of reconciling and performing all political duties, not one, nor half, but *all*, — that this sentiment was taught and was practised; that liberty of conscience was held sacred; that the right to be represented equally in the government of the State was recognized, and sought to be retained in the Constitution as belonging to every human being, because such, inhabiting her soil; that they held even good laws powerless, and a government of laws impossible, if not interpreted and administered by judges as impartial as the lot of humanity will admit, and helped to be so by the tenure of independence of the ebb and flow of party; that although ever they boasted to be a branch of a national Whig connection, and as such held a creed of national politics, combining a policy of peace with honor, industry protected by wise discrimination, improvement of the great natural agencies of intercourse, a provident and liberal and statesmanlike administration of the public domain, — a creed on which wise and good men of every State, in large numbers, sometimes by large majorities, were with them; although they held this creed of union, they yet left themselves wholly free to cherish and act on the local sentiment of slavery; that they opposed its extension by their press, by their vote, by public debate — its extension by annexation of Texas and Cuba, and by repeal of the compromise, and that their greatest and best, all who represented them, did so ever up to the limits of the Constitution and an honest statesmanship, and paused reverentially there; —

would it not be a glorious page on which, after concluding this detail, he should record that their last organic act was to meet the dark wave of this tide of sectionalism on the strand, breast high, and roll it back upon its depths ; ay, or to be buried under it ! Would not that be higher than to follow the advice of one, once of us, who counsels the Whigs to march out of the field with all the honors ? Yes, we reject the word of command. We will not march out of the field at all. We will stand just where we are, and defend those honors and add to them. Perhaps we may fall. That were better than the flight he advises ; to fall, and let our recorded honors thicken on our graves. That were better than flight ; but who can tell that there are not others higher to be won yet ? Laurels farther up ; more precious — less perishing ; to be won by more heroic civil duty, and the austerer glory of more self-sacrifice. Be these ungathered laurels ours to reap !

But it occurs to me, that I have been a little too fast in assuming that your minds are already all made up not to join this geographical party. Let us then pause, and inspect the thing a little. Let us do it under a threefold dissection. See then, first, exactly what it is to be ; what, if completely formed, it is to be. Second, what good it will do. And, third, what evil it will do ; what evil the process of forming it will do ; what evil it will do after it is formed. First, what is it to be, when formed ? Exactly an organization of all the people of the free States, if they can get all, if not, majorities of all, into a political party proper, to oppose the whole people of all the slave States, organized into just such another association

upon the single, but broad and fertile topic of slavery. Into this organization, on one side and the other, every other party is, if possible, to be merged ; certainly by this one, every other is to be out-voted and vanquished. This promising and happy consummation, mark you, is to be a *political party proper*. It is not to be a public opinion on slavery. It is not to be a public opinion against slavery. It is not to be a mere universal personal conviction of every man which he may carry with him into all his political duties and relations, and bind up with his Democratic opinions, or Whig opinions, or Native American opinions ; — that is not it, at all. It is to be, and act, as a political party properly, technically, and with tremendous emphasis so called. It is to fill office, make laws, govern great States, govern the nation ; and to do this by the one single test of what is called opposition to slavery ; on the one single impulse of hate and dread of the aristocracy of the South, by which slavery is maintained. To carry out this opposition, to breathe forth this hate, and this dread in action, it lives ; it holds its conventions, supports its press, selects its candidates, prescribes their creed, conducts its electioneering, and directs every act that it does and every word that it speaks. And now, when you consider how prodigious an agency in a republic a flushed and powerful party is at the best ; when you remember what it has done to shame and scare away liberty from her loved haunts and home by the blue *Ægean*, or beneath the sunny skies of Italy ; when you consider how party, as the general fact, is sure to form and guide that public opinion which rules the world ; how it grows to be “the madness of the many for the

benefit of the few ;” when you consider that to win or retain the general voice, all the ability this organization can possibly command will be enlisted and paid ; that it will offer office to the ambitious, spoils to the greedy, the dear, delicious indulgence of his one single idea to the zealot, strong in faith, fierce and narrow in his creed ; to the sentimentalist and *littérateur*, the corrupting praise of a foreign press ; to a distempered and unmeaning philanthropy, the cure of one evil by the creation of ten thousand ; meditating on these things, you attain to some conception of what this party is to be.

And now what good is it to do ? And, first, what on earth is it going to do, anyhow ? It is formed, we will say. It has triumphed. It has got power in the free States. It has got the general government. It has chosen its president. It has got a majority in both houses of congress. The minority are a body of representatives of slaveholders. And they have met in the great chambers. What to do ? Now, it is agreed, on all hands, that in regard to what they are to do as a party, on any subject, human or divine, *outside of slavery*, we know no more than if they were so many men let down in so many baskets from the clouds. As a party, — and they gained power as a party, they are to rule us as a party ; — but as a party they solemnly adjure that they hold no opinion on any thing whatever, on any thing but slavery. They spread their arms wide open to every humor of the human mind ; to all the forms of sense and nonsense ; to more irreconcilable and belligerent tempers and politics than ever quarrelled in a menagerie ; to men of war and men of peace ; to the friend of annexation,

if he can find free soil to annex, as you may, in Canada, and the enemy of any more area ; to protectionists and free traders ; men of strict, and men of large construction, and men of no construction at all ; temperance men and anti-temperance men ; the advocate of ten hours of labor, the advocate of twelve, — in short, they make a general bid for every opinion on every thing, with the pledge of the party to each and all, that if they will roar with a common consent, and make a satisfactory *hullabaloo* on slavery, every man of them shall have a fair chance, and no privilege, and everybody may enact every thing, if he can.

And now, in the name of all common sense, in the whole history of elective government, was a free people ever called on to commit power, the whole vast enginery, the whole thunder of the State, to such a ruler as this ! Slavery, they do say, they will oppose, right and left ; but what other one maxim of government they will adopt, state or national ; what one law, on what one subject, they will pass ; what one institution, or one policy of the fathers they will spare ; what one sentiment they will inculcate ; what one glory they will prize ; what of all that government can cause or cure, they will cause or cure or try to — we have no more to guide us than if they were an encampment of a race never seen before, poured by some populous and unknown North, from her frozen loins ! How mad, how contemptible to deliver ourselves over to such a veiled enthusiast as this ! Better the urn and the lot of Solon — better the fantastic chances of hereditary descent, a thousand-fold.

Well, on their one single *specialty* of slavery, what

are they going to do? And I say that we have not one particle more of evidence what specific thing, or what thing in general they mean to do on slavery, than on any thing else. I do say this, however, that those honest men, who, in the simplicity of their hearts, have sympathized with this new party in the hope of having the Missouri Compromise restored, have not one particle of assurance that they would do it if they could; or that, if they could, they would rest there, or within half the globe of it. Loud they are in their reprobation of the repeal. So are we all! But is it a restoration they seek? No, nothing so little. When, a few days ago, a respectable Whig gentleman presented himself at one of their meetings, and being invited to speak, began by saying that they were all there to unite for the repeal of the repeal, they hissed him incontinently. Less discourteously in the manner of it, quite as unequivocally they have set forth in terms the most explicit, in the address of their convention, that the restoration of the Compromise of 1820 is not what they desire. What are they to do, then, if they win power? Either nothing at all which Whigs could not do, and would not do, if a wise and large statesmanship permit it; or they bring on a conflict which separates the States. Nothing at all which we would not do, if our fidelity to the Constitution would allow us, or that which under the Constitution cannot be done. Nothing at all, or just what their agitation from 1835 to this hour, has accomplished,—rivet the iron chains of the slave, loose the golden bands of the Union. So much for the good it will do.

But now survey the evil it would do. We cannot,

of course, foreknow exactly what it would do, if it could, nor how much, exactly, it could do, if it would. We cannot know, in other words, exactly where or when or how, if it attained the whole power that it seeks, it would bring on the final strife. But one thing we know, that they cannot, by possibility, go through the process of merely and completely organizing such a party but by elaborately and carefully training the men on this side of their line to "abhor" and "avoid" the men on the other. The basis of the organization is reciprocal sectional hate. This is the sentiment at bottom. This, and nothing else. To form and heighten this; to fortify and justify it; to show that it is moral and necessary and brave, the whole vast enginery of party tactics is to be put in request. If the ingenuity of hell were tasked for a device to alienate and rend asunder our immature and artificial nationality, it could devise nothing so effectual!

I take my stand here! I resist and deprecate the mere attempt to form the party. I don't expect to live to see it succeed in its grasp at power. I am sure I hope I shall not, but I see the attempt making. I think I see the dreadful influence of such an attempt. That influence I would expose. Woe! woe! to the sower of such seed as this! It may perish where it falls. The God of our fathers may withhold the early and latter rain and the dew, and the grain may die; but woe to the hand that dares to scatter it.

Painful it is to see some of whom a higher hope might have been cherished, on motives and with views I dare say satisfactory to themselves, giving aid and comfort to such a thing. In looking anxiously out of

my own absolute retirement from every form of public life, to observe how the movers of this new party mean to urge it upon the people, what topics they mean to employ, what aims they mean to propose, and, above all, what tone and spirit they mean to breathe and spread, and what influence to exert on the sectional passions or the national sentiments of our country — I have had occasion to read something of their spoken and written exhortations — this inauguration eloquence of sectionalism — and think I comprehend it. And what work do they make of it? Yes — what? With what impression of your country, your whole country — that is the true test of a party platform and a party appeal — do you rise from listening to the preachers of this new faith? What lesson of duty to all, and of the claims of all, and of love to all, has it taught you? Does not our America seem to lose her form, her color, her vesture, as you read? Does not the magic of the metamorphosis come on her?

“ Her spirits faint,  
Her blooming cheeks assume a pallid teint,  
And scarce her form remains.”

Does it not seem as if one half of the map were blotted out or rolled up for ever from your eye? Are you not looking with perplexity and pain, your spirits as in a dream all bound up, upon a different, another, and a smaller native land? Where do you find in this body of discourse one single recollection that North and South compose a common country, to which our most pious affections are due, and our whole service engaged? Where, beneath this logic and this rhetoric of sectionalism, do you feel one



throb of a heart capacious of our whole America? The deep, full, burning tide of American feeling, so hard to counterfeit, so hard to chill, does it once gladden and glorify this inauguration oratory and these inauguration ceremonies? Is not the key-note of it all, that the slaveholders of the South are an aristocracy to be "abhorred" and "avoided;" that they are insidious and dangerous; that they are undermining our republic, and are at all hazards to be resisted? Do they not inaugurate the new party on the basis of reciprocal hate and reciprocal fear of section to section? Hear the sharp and stern logic of one of these orators: — "Aristocracy, through all hazards, is to be abhorred and avoided. But a privileged class are sure to become, nay, are, an aristocracy already. The local Southern law, and the national Constitution, make the slaveholders a privileged class. They are, therefore, an aristocracy to be abhorred and avoided." Such is the piercing key-note of his speech. To this he sets his whole music of discord. To this he would set the whole music of the next presidential canvass. To this, the tens of thousands of the free States are to march. "Abhor" and "avoid" the aristocracy of the South! Organize to do it the better! They are insidious and dangerous. They are undermining republican liberty. March to defend it! Ay, march, were it over the burning marl, or by the light which the tossing wave of the lake casts pale and dreadful.

"I might show," the same orator proceeds, "that the Constitution is wrong in thus conceding to a privileged class. I might show, *a priori*, that such a class would be dangerous. I choose rather to teach you so to read the history of America, that you shall

find its one great lesson will be hatred and dread of the aristocracy of the South, for its conduct even more than for its privileges." And so he unrolls the map, and opens the record. He traces the miraculous story; he traces the miraculous growth from the birthday of the Constitution, and from the straitened margin of the old thirteen States, through all the series of expansion,—the acquisition of Louisiana, and the adoption of that State into the Union; the successive adoption, also, of Kentucky, Tennessee, Mississippi, Alabama, and Missouri; the annexation of Florida and Texas and California,—a growth in fifty years, from a narrow heritage between the Atlantic and Alleghany, and the spring-heads of the Connecticut and the mouth of the St. Mary's in Georgia, to the dimensions of Roman, of Russian, of Asiatic boundlessness,—this he traces across the Alleghanies, across the imperial valley and the Father of Rivers, through the opened portals of the Rocky Mountains to the shores of the great tranquil sea—ay, and beyond these shores to richer dominion over the commerce of the East, to which it opens a new and nearer way—this majestic series, our glory, our shame, he runs over; and the one single lesson he gathers and preaches from it is, that the aristocracy of the South is as insidious and dangerous and undermining in practice as it is threatening *a priori*; that we should "abhor" and "avoid" it, for what it has done, as well as for what the Constitution and the laws secure to it. This is the lesson of the History of America. As he studies the map and reads the history, so is the new party to do it; so are the fathers, and so are the children of the free States all to read it; it is to

teach them all one dull lesson, and to sound in their ears one single, dreary, and monotonous warning. The annexation of Louisiana, the master-work of Jefferson, unless you say the Declaration of Independence is his master-work; the annexation of Florida, by treaty, for which John Quincy Adams acquired so just a fame, and which stipulates for the incorporation of its inhabitants into the Union; the victories of Palo Alto, Monterey, Buena Vista, and Contreras, which crowned the arms of America with a lustre imperishable, although they could not vindicate, to justice and history, the administration or the politics which brought on the war, nor the Free Soilers of New York, whose tactics caused the election of that administration; this expansion, so stupendous — this motion, silent and resistless, of all the currents of national being towards the setting sun — like that of our astronomical system itself, towards the distant constellation; this all is to kindle no emotion, to inspire no duty, to inculcate no truth, but to “abhor” and “avoid” the aristocracy, whose rapacious use or insidious fabrication of opportunity so strikingly illustrates the folly of the Constitution.

Oh! how soothing and elevating to turn from this to the meridian brightness, the descending orb, the whole clear day, of our immortal Webster! How sweet, how instructive to hang again on the lips now mute, still speaking, whose eloquence, whose wisdom, were all given ever to his whole America! How grand to feel again the beat of the great heart which could enfold us all! He saw, too, and he deplored the spread of slavery. He marked, and he resisted

the frenzy of the politics by which the then administration gave it so vast an impulse by annexing Texas and making war with Mexico. He had surveyed — no man had so deeply done it — the growth of his country from the rock of Plymouth and the peninsula of Jamestown to the western sea. But did he think it just to trace it all to the aggressive spirit of the aristocracy who hold slaves? Could his balanced and gigantic intelligence and his genuine patriotism have been brought to believe and to teach that the single desire to find a new field for slavery to till, has in fifty years transformed a strip of sea-coast into a national domain larger than Europe?

Is nothing to be ascribed to the necessities of national situation and the opportunities of national glory; nothing to the sober, collective judgment of the people of all the sections; nothing to the foresight of some great men — like Jefferson and John Quincy Adams — who loved not slavery, nor the expansion of the area of slavery, but who did love their country dearly and wisely, and knew that that evil would be more than compensated by the exceeding good; nothing to a diffused, vehement nationality, brave, ambitious, conscious of a mighty strength, burning to try itself against the resistance of foreign contact, and finding on its West and South-west border no equal force to hold it back; nothing to the blindness of mere party tactics and the power of a popular administration; nothing to the love of glory, and contention, and danger which flames and revels in the adolescent national heart? Is it all mere and sheer negro-breeding and negro-selling that has done this? More. Is nothing to be ascribed to the in-

fluence of Northern aggression against slavery, provoking by an eternal law a Southern rally for its defence and propagation? Have these great readers of our history forgotten that as far back as 1805, as 1801, the press, some influential portions of the press of a large political party at the North, began to denounce the election and reëlection of Jefferson as a triumph of the slave power; the acquisition of Louisiana, that absolute necessity of our peace, how much more of our greatness, as another triumph of the slave power; that this form of sectionalism already assailed the slave representation of the Constitution, and tried to strike it out; that it bore its part, a large part, inflaming New England to the measure of the Hartford Convention; that, hushed to silence by the fervid flood of nationality which swept the country at the close of a war, breathing into us the full first inspiration of American life, it awoke again on the application of Missouri for admission; that, silenced once more by that adjustment, a few years later it took on the more virulent type of abolitionism; and from that moment, helped on by the general progress of the age, it has never ceased for an hour to make war on the institutions of the South, to assail the motives, and arraign the conscience of the slave-holder; to teach to "abhor" and to "avoid" him, and denounce the Union as a compact with hell? Is it not possible that a part of what they call the aggressive spirit of slavery may be reaction against our own aggression? May it not be, that in this recrimination of the sections, and in the judgment of history, there may be blows to take as well as blows to give? That great man whose name I have

spoken, could see, and he dared to admit, the errors of both sections. In those errors, in this very hate and this very dread which the new party would organize, he saw the supreme danger of his country. To correct those errors, to allay that dread, to turn that hate to love, was the sublime aim of his last and noblest labor. "I am looking out," he said, "not for my own security or safety, for I am looking out for no fragment on which to float away from the wreck, if wreck there must be, but for the good of the whole, and the preservation of all. I speak to-day for the Union! Hear me, for my cause!" He could not have abandoned himself, he never saw an hour in which he could have any more abandoned himself to this gloomy enterprise of sectionalism, than Washington could have done it, stooping from the pathos and grandeur and parental love of the Farewell Address; than the leader of Israel could have done it, as he stood in that last hour on Pisgah and surveyed in vision the wide-spread tents of the kindred tribes, rejoicing together in the peace and in the light of their nation's God. O, for an hour of such a life, and all were not yet lost.

**SPEECH "ON THE POLITICAL TOPICS NOW  
PROMINENT BEFORE THE COUNTRY."**

**DELIVERED AT LOWELL, MASS., OCTOBER 28, 1856.**

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I HAVE accepted your invitation to this hall with pleasure, — although it is pleasure not unattended by pain.

To meet you, Fellow-citizens of Lowell and of Middlesex, between whom, the larger number of whom, and myself, I may hope, from the terms of the call under which you assemble, there is some sympathy of opinion and feeling on the "political topics now prominent before the community;" to meet and confer, however briefly and imperfectly, on the condition of our country, and the duties of those who aspire only to be good citizens, and are inquiring anxiously what in that humble yet responsible character they have to do — to meet thus, and here — not as politicians, not as partisans, not as time-servers, not as office-seekers, not as followers of a multitude because it is a multitude, not as sectionalists, but as sons and daughters of our united and inherited America; who love her, filially and fervently for herself; our own — the beautiful, the endeared, the bounteous; the imperial and general Parent! — and whose hearts' desire and prayer to

God is only to know how we shall serve her best, — this is a pleasure and a privilege for which I shall be very long and very deeply in your debt.

And this pleasure, there is here and now nothing to alloy. Differing as we have done, some of us, through half our lives; differing as now we do, and shall hereafter do, on means, on details, on causes of the evil, on men, on non-essentials — non-essentials I would say in so far as the demands of these most rugged and eventful times are concerned — I think that on the question, what is the true issue before us and the capital danger we have to meet; on this, and on all the larger ideas, in all the nobler emotions which ought to swell the heart and guide the votes of true men to-day — through this one sharp and dark hour we shall stand together, shoulder to shoulder, though we have never done so before, and may never do so again.

I infer this from the language of your invitation. The welcome with which you have met me allows me to expect so much. The place we meet in gives assurance of it.

If there is one spot of New England earth rather than another, on whose ear that strange music of discords to which they are rallying the files — a little scattered and a little flinching, thank God! — of their Geographical party — must fall like a fire-bell in the night, it is here; it is in Middlesex; it is in Lowell!

If this attempt at combining States against States for the possession of the government has no danger in it for anybody, well and good. Let all then sleep on, and take their rest. If it has danger for anybody,



for you, Fellow-citizens of Lowell, more than for any of New England or as much, it has that danger. Who needs the Union, if you do not? Who should have brain and heart enough to comprehend and employ the means of keeping it, if not you? Others may be Unionists by chance; by fits and starts; on the lips; Unionists when nothing more exciting, or more showy, or more profitable, casts up. You are Unionists by profession; Unionists by necessity; Unionists always. Others may find Vermont, or Massachusetts, or New Hampshire, or Rhode Island, large enough for them. You need the whole United Continent over which the flag waves to-day, and you need it governed, within the limits of the actual Constitution, by one supreme will. To secure that vast and that indispensable market at home; to command in the least degree a steady, uniform, or even occasional protection against the redundant capital, matured skill, pauper labor, and ebbing and falling prices of the Old World at peace; to enable the looms of America to clothe the teeming millions of America, — you need a regulation of commerce, uniform, one, the work of one united mind, which shall draw along our illimitable coast of sea and lake, between the universal American race on one side, and all the rest of mankind on the other, a line, not of seclusion, not of prohibition, but a line of security, and discrimination — discrimination between the raw material at least and the competing product — a line of social and industrial boundary behind which our infancy may grow to manhood; our weakness to strength; our “prentice hand” to that skill which shall hang out the lamp of beauty on the high places of our wealth, and our power, and our liberty!



Yes, this you need ; and you know how, and where, you can have it.

How perfectly our springing and yet immature manufacturing and mechanical interests in 1788 discerned this need, and with what deep, reasonable, passionate enthusiasm they celebrated the adoption of the Constitution which held out the promise of meeting it ! I know very well that all good men ; all far-seeing men ; all large-brained and large-hearted men were glad that day. I recall that grand and exultant exclamation of one of them : "It is done ; we have become a nation." But even then it seemed to some, more than to others, the dawn of a day of good things to come. If you turn to that procession and that pageant of industry, in Philadelphia, on the 4th of July, 1788, — that grand and affecting dramatic action through which, on that magnificent stage as in a theatre, there were represented the sublime joy, and the sublime hopes with which the bosom of Pennsylvania was throbbing, — then and thus I think you seem to see, that while the Constitution promised glory and happiness to all our America, it was to the labor of America the very breath of life. We hear it said that it was for trade — foreign and domestic, largely — that the new and more perfect union was formed, and that is true. Very fit it was that in that gorgeous day of national emblems, the silver Delaware should have shown forth prominently — decorative and festive — to announce and welcome from all her mast-heads the rising orb of American commerce. Yet was there one piece in the performance opening a still wider glimpse of its immense utilities and touching the heart with a finer emotion.

That large "stage borne on the carriage of the Manufacturing Society, thirty feet in length, on which carding machines, and spinning machines, and weaving machines were displaying the various manufacture of cotton, was viewed," says an eye-witness, "with astonishment and delight by every spectator." "On that stage was carried the emblem of the future wealth and independence of our country." In that precious form of industry in which the harvest of Southern suns and the labor of Northern hands and brains may meet to produce a fabric for all nations to put on,—the industry of reason, and of the people,—"in that," says he, "is a bond of union more powerful than any one clause of the Constitution." In the motto on that carriage, "May the Union government protect the manufactures of America," read the hopes and the necessities of this labor. Such still is your prayer; such your right; as with the fathers so with the children! May that same Pennsylvania which so celebrated the adoption of the Constitution perpetuate it to-day! Wheresoever else the earth may shake, and the keepers and pillars of the house may tremble and bow themselves, let the keystone of the national arch, intrusted to hold it against the sky, stand fast in its place of strength and beauty for ever!

Pardon me if I have seemed to find in the *mere interests* of Lowell a reason why, if there is a danger, you should be the first to discern and first to meet it. I turn from the interests of Lowell to the *memories* of Middlesex; and I find in them at least assurance that if there is a danger, your eye will see it and your ear catch it as far and as quick as the old Minute-men saw the midnight signals in the belfrys, and caught

the low midnight drum-beat. Surely, surely, that immortal boast of Webster will be yours, "Where American liberty raised its first voice, and where its youth was nurtured and sustained, there it still lives, in the strength of its manhood and full of its original spirit. If discord and disunion shall wound it, if party strife and blind ambition shall hawk at and tear it, if folly and madness, if uneasiness under salutary and necessary restraint, shall succeed in separating it from the Union — by which alone its existence is made sure — it will stand, in the end, by the side of that cradle in which its infancy was rocked; it will stretch forth its arm with whatever of vigor it may still retain over the friends who gather around it; and it will fall at last, if fall it must, amidst the proudest monuments of its own glory, and on the very spot of its origin." Yes, it was here, that the American people began to be, and the American nation was born in a day. There, on the 19th of April; there, on the 17th of June; on that narrow green; beyond that little bridge; on those heights of glory; there, — even as the cloud of battle parted and the blood of your fathers was sinking into the ground — the form and faces of the old thirteen colonies passed away, and the young Republic lifted his forehead from the "baptism of fire;" the old provincial flags were rolled up and disappeared as a scroll, and the radiant banner by which the United America is known, and shall be, for a thousand years of history, known to all the world as one, was handed down from the sky. Here at least shall not the dismemberment of that nation begin. Here at least the first star shall not be erased from that banner!

No, Fellow-citizens of Middlesex. They may persuade you that there is no danger in what they are doing; they may persuade you that a combination of sixteen States to wrest the possession of the government from the other fifteen is all right, all safe, and all necessary. But if they fail in this; if they fail to show that whatever they wish or mean to do, they are not subjecting the Union of America, and the peace and honor of America, to a trial which may exceed its strength, then tell them they had better try that case in *some other county*. Tell them that while the summit of that monument catches the rays of the rising and descending sun, and the returning or departing sailor greets it from his mast-head, it shall stand the *colossal image of a whole country*; and the flag that floats from it to-day shall float there while the earth bears a plant, or the sea rolls a wave!

I meet you for these reasons with pleasure. But I said and feel that that pleasure is attended close by pain. Some of you will partake of that with me also. All will comprehend it. I do not disguise that I look on the occasion with too anxious an interest, with too many fond memories of the past, with too keen a sense of the contrast of the present with the past, with too much thought of the possible future, for unmixed pleasure even here. I will not call this presidential election in advance a peril or a crisis, for that might be to beg the question, but I will venture in advance to say, that the best wish a patriot could make for his country is that she may never undergo such another. The first desire of my heart, at least, is that I may never see such another. To this desire, personal considerations do not at all contribute.

I should be ashamed of myself if they did, although I cannot but wonder at that discriminating injustice and insolence of dictation which claims freedom of thought and purity of motive for itself, and allows them to others, and denies them to me. But this is nothing. Is there no one here who shares with me the wish, that his country, that himself, might never see another such a crisis as this? Is there no one here, — are there not hundreds here, — who, recalling the presidential elections they have assisted in, and contrasting their safe and their noble stimulations; their sublime moments; their admirable influences, as a training to a closer union, and a truer and intenser American feeling and life, with this one; does not confess some anxiety, some bewilderment, some loathing, some fear? Those generous, animated, fraternal contendings of the American people for a choice of the successor of Washington; conducted in the name and under the control of two great parties; running, both of them, through and through the Union, into every State and every vicinage, every congressional district, and every school district, and every parish; and binding Texas to Maine, Georgia to New Hampshire, Missouri to Massachusetts, by a new, artificial, and vehement cohesion, — a tie, not mystic, by which you greeted, every man greeted, a brother and an ally, “*idem sentientem de republica* ;” everywhere that careful, just, and constitutional recognition on every party banner; by every party creed and code; in every party speech, and song, and procession of torchlight, — the recognition of an equal title to love, regard, honor, equality, in each and every state and region; that studious

and that admirable exclusion of all things sectional ; all things which supposed the existence of a conflict of sections ; all opinions, all theories of policy, all enterprises of philanthropy, all aims of all sorts in which his geographical and social position could prevent any one American from sharing alike ; those platforms, broad as our continent ; equal as our Constitution ; comprehensive as our liberty ; those mighty minglings of minds and hearts, in which Webster could address Virginians in the Capitol Square at Richmond, and Berrien and Bell and Leigh and Johnson could feel and heighten the inspiration of Faneuil Hall and Bunker Hill, — all everywhere at home ; — those presidential contests which left our Union stronger, our mutual acquaintance and respect closer and deeper, our country a dearer and fairer and grander ideal, hastening forward the growth of our nationality almost as much as a foreign war, without its blood, its crime, and its cost, — is there no one, are there not hundreds here, who recall and regret them ? Contrasted with them and their day, does not this one, and this time, seem more a dream than a reality ? Can we avoid the vain wish that it was only and all a dream ? Does this attempt to weave and plait the two North wings of the old national parties into a single Northern one, and cut the Southern wing off altogether, strike you to be quite as far-sighted and safe as it is new and bold ? In the temporary and local success which seemed a little while ago to attend it here, and which led certain small editors, little speakers on low stumps, writers of bad novels and forgotten poems, preachers of Pantheism and revilers of Jefferson, and excellent gentlemen, so moral and re-

ligious that they could not rejoice at their country's victories over England, — led these people to suppose they had all at once become your masters and mine ; in that temporary and local success did you see nothing but rose colors and the dawn of the Millennium? To combine States against States, in such a system as ours, has it been generally held a very happy device towards forming a more perfect union and insuring domestic tranquillity? To combine them thus against each other geographically, to take the whole vast range of the free States, lying together, sixteen out of thirty-one, seventeen millions out of five or six and twenty millions, — the most populous, the strongest, the most advancing, — and form them in battalion against the fewer numbers and slower growth, and waning relative power on the other side ; to bring this sectional majority under party drill and stimulus of pay and rations ; to offer to it as a party the government of our country, its most coveted honors, its largest salaries, all its sweets of patronage and place ; to penetrate and fire so mighty and so compact a mass with the still more delicious idea that they are moving for human rights and the equality of man ; to call out their clergy from the pulpit, the library, the bedside of the dying, the chair of the anxious inquirer, the hearth of the bereaved, to bless such a crusade ; to put in requisition every species of rhetoric and sophistry, to impress on the general mind that the end justifies the means ; that the end here to be attained is to give Kansas to freedom ; to stanch her blood and put out her fires ; and then to execute the sublime and impressive dogma that all men are born free and equal ;



and that such a Geographical party is a well-adapted means to that end, — does this strike you as altogether in the spirit of Washington, and Franklin, and the Preamble to the Constitution, and the Farewell Address? Does it strike you that if carried out it will prove to be a mere summer excursion to Moscow? Will there be no bivouac in the snow; no avenging winter hanging on retreat? No Leipsic; no Waterloo?

Fellow-citizens, if the formation and growth of this faction of Northern States against the South has impressed us at all alike, you appreciate why I said that I meet you with pain. It was the pain of anxiety; the pain of fear. Relieved as I am from that in a great degree by the late decisive demonstrations from Pennsylvania and Indiana, we yet feel together that we have a duty to perform or to attempt still. That which we cannot hinder here, we may at least deplore and expose. That which we cannot do for ourselves, New Hampshire, Connecticut, the great, calm, central mass of States may do for us. Against that which locally and temporarily is too strong for our strength here, we may at least protest.

With courtesy then; with justice to those from whom we differ; in the fear of God; in the love of our whole America; in all singleness of heart; appealing from the new men to the old; to the sober second thought of Massachusetts and New England; to their judgment; to their patriotism, — after some generations, perhaps some days, have passed, — let us put on record our reasons for deliberate and inextinguishable opposition to this Geographical party.

You see, Fellow-citizens, already what I regard as the issue we have to try. In their mode of stating

that issue, I take leave totally to differ from some of the organs of this movement here. The question to-day is not as they would frame it and force it on us, whether we would have Kansas free soil or slave soil, any more than whether we worship an "anti-slavery God and believe in an anti-slavery Bible." The question is this: Shall slavery be permitted, through the agency of extreme Northern or extreme Southern opinions, to combine and array the sixteen States in which it does not exist, and the fifteen States in which it does exist, into two political parties, separated by a physical and social boundary, for the election of president, for the constituting of the two houses of congress, and the possession of the government? Much trouble it has caused us; much evil it has done. It is the one stupendous trial and peril of our national life. But shall it bear this, the deadliest fruit of all?

I say, Not so; never; but certainly not yet. This is the issue.

And now addressing myself to this issue, the first thing I have to say is, such a party is absolutely useless for every one of its own objects which it dares avow. For every one which it avows it is useless. Every one of them it is certain to endanger or to postpone.

But here let me submit a preliminary thought or two.

In trying the question whether the exigencies of the times demand such a tremendous organization as this, or whether we are bound to oppose it, I hold it to be time worse than wasted to get up a disputation in advance as to what party, or what section is most to blame for the occurrences of the last two years.

This is all well enough for politicians. To you and to me it is trifling and it is criminal. If a resort to this stupendous innovation is necessary and is safe ; if it will work great, certain, and needful good, and will not formidably and probably endanger the domestic tranquillity and the more perfect union of the States, — form it, and triumph in it. If such a resort is unnecessary ; if it will work no certain and great good ; if it will disturb our peace and endanger our existence, let it be condemned and punished as moral treason, and there an end. Try it, and judge it by itself.

What is it to you or me ; what is it to the vast, innocent, and quiet body of our countrymen, North or South, whose folly, whose violence, whose distrust, whose fanaticism for slavery or against slavery, whose ambition low or high, is responsible for the past or present ? Leave this to them whose trade is politics, whose trade is agitation, and let us meet the practical measure they present us, and pass on that. I know very well there are faults on both sides ; faults South, faults North, faults of parties, faults of administration. We should not have voted for the repeal of the Compromise. We would have voted, when that thing was done and its restoration was seen to be impossible, to secure to Kansas the opportunity, uninvaded, unawed, uninfluenced, to grow to the measure of a State, to choose her own institutions, and then come to join the “ Grand Equality.” As she is to-day, at rest, at peace, — in some fair measure so, — revived, respiring, so ought she ever to have been, if freedom and slavery were to be allowed to meet breast to breast upon her surface at all. Herein is

fault. Herein is wrong. Beyond, far back of all this, years before that Compromise, years before that repeal, the historian of sectional antagonisms might gather up more matter of reciprocal crimination. Either region might draw out a specious manifesto enough on which to appeal to the reason and justice of the world and to the God of nations, and to the God of battle for that matter, if that were all.

But to this great question, thus forced on us, Shall the States of the North be organized for the purpose of *possessing the government* upon the basis of this party, what are all these things to the purpose? Because there has been violence and blame, are you therefore to fly on a remedy ten thousand times worse than the disease? We should like to see slavery cease from the earth; but should we like to see black regiments from the West Indies landing at Charleston or New Orleans to help on emancipation? We would like to see Kansas grow up to freedom; but should we like to see the bayonets that stormed the Redan and the Malakoff glittering there to effect it? This glorifying him who does his own work, and this denunciation of him who holds a slave; this singing of noisy songs, and this preaching of Sharpe's rifle sermons; these lingering lamentations about the spread of the cotton plant, about the annexing of Louisiana by Jefferson, and of Florida by John Quincy Adams, do not touch the question before the nation. That question is about the new party. That question is on combining the North against the South on slavery to win the government. Shall that party, shall that attempt triumph, or shall it perish under the condemnation of your patriotism?

Is that needful? Is that just? Is that prudent? That is the question; and to that hold up its orators, and poets, and preachers; and let the sound and calm judgment of America decide it.

Something else when that is decided, as it seems now likely to be, we shall have to do. Some changes of administrative politics must be and will be had. But in the mean time, and in the first place, the question is, Shall your Geographical party live or die?

I have said, then, for my first reason of opposition, that for any and every one of the objects this new party dares to avow, it is absolutely useless. It is no more needed for any object it dares to avow, than thirty thousand of Marshal Pelissier's Zouaves are needed in Kansas to-day.

And on this question of necessity is not the burden of proof on him who undertakes to introduce into our political order and experience so tremendous a novelty as this? Is not the presumption in the *first* instance altogether against getting up a Geographical party on slavery for possession of the government? Considering that such a thing, if not necessarily and inevitably poison, is, however, extreme medicine at the best; that it has been down to this hour admitted to be and proclaimed to be the one great peril of our system by all who have loved it best and studied it most deeply; that every first-class intelligence and character in our history of whatever type of politics, and what is quite as important, the sound and sober general mind and heart, has held and taught this, is it too much to say that he whose act outrages our oldest, and most fixed, and most implicit habits of

thought and most cherished traditions on this subject; who mocks at what we have supposed our most salutary and most reasonable fears; who laughs at a danger to the American confederacy, at which the firmness of Washington, the courage of Hamilton, and the hopeful and trusting philanthropy and philosophy of Jefferson, confident always of his countrymen, at which these men trembled, — is it too much to tell the propounder of this project that he shall make out its necessity, or he shall be nonsuited on his own case? I say to him, then, Pray confine yourself in the first instance to the point of *necessity*. Do not evade that question. Don't mix others with it. Tell us exactly what you really propose to do about slavery, without phrases, and then show us that if it ought to be done it is necessary to combine the Northern States against the South on a presidential election in order to do it. Speak to this. Don't tell us how provoked you are, or how provoked the Rev. Mr. This, or the Hon. Mr. That, has come to be against the South; how passionately one Southern member spoke, or another Southern member acted; how wicked it was in Washington to hold slaves, and what a covenant with hell a Constitution is which returns the fugitive to the master. Don't exasperate yourself irrelevantly. Don't mystify or trick us with figures to prove that the seventeen millions of people in the Northern States contribute three fourths of the whole aggregate of \$4,500,000,000 of annual industrial production. This, if it were true, or were not true, might beget vanity, and the lust of sectional dominion, and contempt; but it is nothing at all to the purpose. Don't say you want to teach the South

this thing or that thing. Don't say you want to avenge on a section to-day the annexation of Louisiana or Florida or Texas. Don't keep coming down on the South ; just condescend to come down on the question. What are your objects precisely ; and how comes this new and dangerous combination of States necessary to accomplish them ?

What, then, first, are the objects of the Geographical party, and is such a party necessary for such objects ? I ask now for *its measures*. What would it do if it could ?

To find out these to reasonable perfection, for me, at least, has not been easy. It is not easy to know where to look for the authentic evidence of them. The Philadelphia platform and Colonel Fremont's letter of acceptance are part of that evidence. They are not all — they are not the most important part. You must go elsewhere for it. The actual creed and the real objects must be sought in the tone and spirit of their electioneering ; in the topics of their leaders ; in the aggregate of the impression their whole appeal is calculated to make on the public mind and the collective feelings of the North. These speak the aims, these make up the life, these accomplish the mission of a party. By these together judge it.

Much meditating on this evidence, I arrive at two results. I find one object distinctly propounded ; one of great interest to the Northern sentiment, and one which you and I and all should rejoice to see constitutionally and safely accomplished at the right time and in the right way, — and that is the accession of Kansas as a free State to the Union. This is one. Beyond, behind this, more or less dim, more or less

frowning, more or less glittering, more or less constitutional, there looms another range or another show of objects, swelling and subsiding and changing as you look, — “in many a frozen, many a fiery Alp,” — cloud-land, to dazzle one man’s eye, to disappear altogether before the gaze of another, as the show-man pleases. These are their other objects.

Turn first, then, to that one single practical and specific measure which they present to the North, and on which they boast themselves by eminence and excellence the friends of Kansas, — the admission of that territory as a free State.

And now if this is all, will any sane and honest man, uncommitted, tell you that there is a necessity for this tremendous experiment of an organization and precipitation of North on South to achieve it? Have you, has one of you, has one human being north of the line of geographical separation, a particle of doubt that if Kansas has peace under the reign of law for two years, for twelve months, the energies of liberty, acting through unforced, unchecked, and normal free-soil immigration, would fill her with freedom, and the institutions of freedom, as the waters fill the sea? What more than such peace under such rule of law do you want? What more does Mr. Speaker Banks think you want? Legislation of anybody? No. Interference by anybody? No. Hear him : —

“Now for this [the repeal of the Compromise] we have a remedy. It is not that we shall legislate against the South on the subject of slavery. It is not that we shall raise the question whether in future territories slavery shall be permitted or not. We lay aside all these questions, and stand distinctly and simply on the proposition that that which gave peace to the country



in 1820, that which consummated the peace of the country in 1850, ought to be made good by the government of the United States, and with the consent of the American people. [Applause.] That is all. No more, no less — no better, no worse. That is all we ask — that the acts of 1820 and 1850 shall be made good, in the place of conflagration, and murder, and civil war for the year 1856 — by the voice of the American people, South, let me say, as well as North. [Applause.] Now, to do that no legislation is required. It is not necessary that the halls of congress should be opened again to agitation. We desire the election of a man to the presidency of the United States of simple views and of determined will, — a man who will exert the influence of this government in that portion of the territory of the United States, so as to allow its people to settle the question for themselves there.”

What is this but to say, Put out the conflagration, stop the reign of violence, give peace, law, and order to rule, and Kansas will have freedom, if she does not prefer slavery, as certainly she will not. And such, I take it, is the all but universal judgment of the North.

Well ; but do they answer, Oh, very true ; but we cannot have this peace unless the North gets possession of the government. Mr. Buchanan’s administration will not insure it. Mr. Fillmore’s administration will not insure it.

I might content myself with replying that the condition of Kansas at this hour gives this extravagance to the winds. I will not say that territory to-day is as quiet as Middlesex ; but I will say that before the next President takes his seat it will be as free as Middlesex. It has a majority for freedom, and it is increasing. Of a population of about thirty thousand, some five thousand only are from the slave States.

I will not leave it on that reply. With what color

of justice, I choose to add, do the leaders of this party assume to tell you that they alone desire to give or are able to insure Kansas her only chance to be free? With what justice do they tell you that the Democratic party, or the Fillmore party, refuse to give her peace, and all the practical opportunities of liberty? Do they suppose that we have not read the record of the last two months of the last congress? We, whose sons and brothers are on that disturbed and sad soil; we, who deplore the repeal of the Compromise quite as much as they do; we, who should see with exultation and thanksgiving to God the peaceful victories of freedom in that frontier; we, who hate and dread the gamblings of politicians, and the selfish and low tactics of party, but should rejoice unspeakably to see the statesmanship of our country securing the government of that territory to its own free will, — do they suppose that we did not read, or could not understand, or cannot remember how the leaders and the members of every party in congress dealt with this great subject? Republicans the only helpers of Kansas to freedom, indeed! How did they propose to reach the object? By making some twenty five thousand people into a sovereign State, and bringing it, just as it was, into the Union under the Topeka constitution! Yes, you would have made them a State *extempore*. You would have given to these twenty-five thousand people, organized as absolutely without law and against law as if two thousand should get together on Boston Common and make a government, the same voice in the Senate of the United States which the Constitution gives to New York, to Pennsyl-

vania, to Virginia, to Massachusetts ; the power to turn the scale and decide the vote on a debate of war and peace, or a treaty of boundary, or of commerce, or a nomination to the highest judicial or diplomatic office in the Constitution.

This they would have done, — a measure of passion ; an act for which the file affords no precedent ; revolutionary almost ; almost a crime in the name of liberty.

Defeated in this, they would do nothing. They would allow nobody else to do any thing. They passed Mr. Dunn's bill to be sure, — the first one in the history of this government which legislated human beings directly into a state of slavery ; but as they engrafted the restoration of the Missouri Compromise into it, they knew it could not become a law, and that goes for nothing. There they stuck ; and had they not repeatedly an opportunity to unite in putting out the fires, and stanching the blood, and hushing the shrieks of Kansas ; in giving her a chance to revive and respire ; in giving her a chance to choose herself of the fruit of the tree of liberty and live ? Yes ; repeatedly. Did they avail themselves of it ? No. Did they allow others to do so ? No. No ! Did not Mr. Toombs present a bill, and did not the Senate pass it and send it to the House ? Did not this bill propose an early admission of Kansas, — in so far just what the Republicans wanted ? Did it not annul the more obnoxious part of the obnoxious laws of the territorial legislature ? Did it not provide for registration of voters, commissioners to take census of inhabitants, and an interval of ample sufficiency for those whom vio-

lence had expelled to return and assert their rights? Did not Mr. Hale of New Hampshire say of this: —

“I take this occasion to say that the bill, as a whole, does great credit to the magnanimity, to the patriotism, and to the sense of justice of the honorable Senator who introduced it. It is a much fairer bill than I expected from that latitude. I say so because I am always willing and determined, when I have occasion to speak any thing, to do ample justice. I THINK THE BILL IS ALMOST UNEXCEPTIONABLE.”

Did the Republicans — when they found that the Missouri Compromise could not be restored, nor Kansas be admitted instantly under the Topeka constitution — in order to stanch the blood, and to silence the cry of the territory, the crime against which they assumed to prosecute and avenge — give ground *an inch*? Would they take a single step towards temporary truce even, or a time to breathe? Not one, — Mr. Clayton, Mr. Crittenden in the Senate, and Mr. Haven in the House, held up successively the olive-branch, tempted and entreated them, by eloquence, and reason, and feeling, to do something, if they could not do all, or what they wished, to close the feast of horrors! — but not a finger would they lift. Cold and motionless as the marble columns about them, — the 25,000 men and the Topeka constitution should come in a State — as they knew it would not — or murder, arson, and rapine might waste Kansas, and electioneer for the Geographical party.

I do not say they intended that the reign of terror should continue in Kansas; all of them could not have so intended; I do not say that any of them did. I say that if it had continued, a full share of the

responsibility had been theirs. I say that it is no thanks to them that it has ceased. I say that it does not lie in their mouths to tell the calm, just, and reasonable men of the North that they are the only party, and a combination of States against States the only means, of giving to Kansas the freedom we all desire for her.

Easy it were in my judgment to demonstrate or afford the highest degree of probability that their triumph would defeat, or postpone, or impair and profane the consummation which they seek. But I am confined to the question of the necessity of their measures, for the attainment of our ends.

So much for this function of the new party, the admission of Kansas as a free State. To this end it is no more needed than sixteen black regiments from the Leeward Islands.

Beyond this, what are its objects? With anxious and curious desire to comprehend the whole of this extraordinary phenomenon, I have extreme difficulty in making these ulterior objects out. Some of them are unavowed, I suppose; some of them are avowed in one place and denied in another; some of the speakers have one, some have another. If you tell them their aims are dangerous, unconstitutional, revolutionary, Mr. Banks shall reply, "Not a bit of it; we don't mean to legislate against the South on slavery at all; we don't mean to say that future territories shall not have slavery if they like it, to their hearts' content. We want nothing and nobody but a President of 'simple views and determined will,' who will allow the 'people of Kansas to settle the question for themselves there.'" If thereupon you

answer, Well, if this is all, there really seems to be no great need of evoking such a tremendous spirit as the combination of North against South to reach it ; less force, less fire, less steam, less wear and tear of machinery, would do the business, one would think ; up rises another, more fervid, more gloomy, better informed, or not so cunning, and exclaims, " No, that is not all ! that is hardly the beginning. We sing and hear a strain of far higher mood than that ; we have the tide of slavery to roll back ; the annexation of Louisiana and Texas to avenge or compensate ; we too would taste the sweets of power, and we will have power ; it is a new order of the ages we bring on ; our place of worship (such is Governor Seward's expression) is neither in this mountain, nor yet in Jerusalem ; our mission is equality and freedom to all men."

To seek, through all this Babel of contradictory and irresponsible declarations, what they really design to do, were vain and idle. To maintain the necessity of organizing a party like this, to accomplish no mortal can tell us what, seems pretty bold dealing with the intelligence of the country. That which it is impossible to state, it is not apparently needful to try to do. If there is no perplexity of plot to be unravelled, why is such a divinity invoked ? If there is one, will they show us what it is ?

I must not forget, in this search for their objects, outside of Kansas, that they have been much in the habit of sending us to the Declaration of Independence to find them. Their platform does so ; their orators are said to do so. If I understand Governor Seward, in his first speech in Detroit, he does so.

Reverend teachers of Republicanism do so. They are the party of the Declaration of Independence, and not a Geographical party. Here are two of their resolutions: —

“ *Resolved*, That the maintenance of the principles promulgated in the *Declaration of Independence*, and embodied in the Federal Constitution, are essential to the preservation of our republican institutions; and that the Federal Constitution, the rights of the States, and the union of the States, shall be preserved.

“ *Resolved*, That, with our republican fathers, we hold it to be self-evident truth that all men are endowed with inalienable right to ‘life, liberty, and the pursuit of happiness,’ and that the *primary object* and *ulterior design* of our Federal Government were to secure these rights to *all persons* within its exclusive jurisdiction; that, as our republican fathers, when they had abolished slavery in all our national territory, ordained that no *person* should be deprived of ‘life, liberty, or property,’ without due process of law, it becomes our duty to maintain this provision of the Constitution against all attempts to violate it, for the purpose of establishing slavery in the territories of the United States, by positive legislation prohibiting its existence or extension therein; that we deny the authority of Congress, of a territorial legislature, or any individual or *association of individuals*, to give legal assistance to slavery in any Territory of the United States, while the present Constitution *shall be maintained*.”

And yet what information does this afford about the object of the new party? How do we know what they mean to do, and whether it ought to be done, and whether a combination of free States to do it is fit and is necessary any the more for this? It is a thing so extraordinary for a political party to put forward the Declaration of Independence as its platform, or as a prominent and distinguishing part of its platform, and to solicit the votes of a section of the States

of this Union by the boast that it claims some special and characteristic relation to that immortal act and composition ; that it means to put it to some use, and derive from it some power, or some rule of interpretation, or some motive to governmental action, which are new and peculiar to itself,—that we pause on it with wonder, and perplexity, and alarm.

If a newly organized political party should announce that its principles were the principles of the Bible, and its spirit and aims the spirit and aims of the Bible ; should put this ostentatiously in its platform, write it on its flags, carry it about by torchlight, thunder it from its pulpits and from the stands of its mass-meeting speakers, lay or clerical ; should you not feel some small or some considerable confusion, perplexity, misgiving, mirth, and fear, in view of such demonstration ? If you did not, or if you did, think it a poor, arrogant, impious, and hypocritical method of electioneering, would you not wish to know with a trifle more of precision and fulness what were these principles, and that spirit, and those aims of the Bible thus suddenly adopted into the creed of a party ? If they told you they meant those principles and that spirit “promulgated in the Bible” and “embodied in the Constitution,” should you feel that you knew much more than you did before ? So here. What do these mean by this adoption of the Declaration of Independence into their creed ? What are “*those principles promulgated*” in it, and “*embodied in the Constitution*” ? The Declaration announces all men to be born free and equal, and to have certain inalienable rights, among which is the right to liberty. The Constitution sends back the fugitive slave to his



master. Is this a case of a principle *promulgated* in one, and *embodied* in the other? If not, how does their platform deal with it? What are the "principles so embodied"? In what article, in what word, are they so? Which do they go for, the "promulgation," or the "embodiment"? What practical legislation, or administration, are they supposed to prescribe or warrant? Nay, come a little closer; what do they intend to say they get from the Declaration, or do by means of the Declaration, more than anybody else gets from it, and does by means of it? Would they venture the proposition that the Federal Government derives any powers, any one power, from that source? Certainly not; or if so, it is the most dangerous and most revolutionary heresy ever yet promulgated. Would they say that they call in the Declaration to interpret the *language* of the Constitution? I suppose not; for, that the meaning of those who constructed that consummate frame of government, and weighed, measured, and stamped its words of gold, and drew, or sought to draw, with so much precision and certainty, the delicate line which parts the powers given to the Union from those retained to the States or the people, and therein ordained that all powers not delegated to the United States, or prohibited to the States, are reserved respectively to the States or the people, — that this language, in this instrument of 1787, can be *interpreted*, enlarged or narrowed, darkened or illustrated by the language of that other instrument, not less renowned, penned in 1776, in a time and for a purpose so different, — that thrilling appeal to the reason and justice of nations, in which a people assume to vindicate upon grounds

of natural right their claim to take their place in the great equality of States, and then announce their sublime decision to make their claim good by revolution and battle, — composed to engage the sympathies of mankind for the new nation, and to lift up its own spirit to the demands of the great crisis, — that the latter of these papers, in point of time, is to be interpreted by the former in any sense of which any jurist or any reader of his mother-tongue can form conception, is a proposition too extravagant to be imputed to the author of the platform.

Well, then, if they do not use the Declaration as a source of power, nor as a help to construction, what do they mean to do with, or do by it? How profiteth it them any more than others? than us? Why, they would say they were going to execute their constitutional powers “in the *spirit* of the Declaration.” That is it, is it? They are to take the constitutional powers as they exist — to find them as you find them, and as all find them, by just and legitimate interpretation. But the difference between you and them is, they “are going to *execute* them in the spirit of the Declaration.” Well, now, what does even this mean? What sort of execution is this to insure? How do you apply your rule? Nay, what is the rule? What is the spirit of the Declaration in this behalf? Is it any thing more than its meaning? It is what the framers of it, the Congress of 1776, then *meant*, by their language, is it not? Did they mean then to assert that slaves had an inalienable right to liberty? Did they mean to make any assertion at all upon the subject of master and slave? Was that application of this generality of natural right in their

contemplation in any, the least degree? Were they consciously and intentionally conceding and proclaiming that it was a sin to hold a slave and a duty to emancipate?

How the student of the history of that act may answer this inquiry is not now to the purpose.\* The question is not now on the actual principles of the Declaration as its framers understood and limited and applied them. It is on the meaning of the framers of the Republican platform. What is *their* "spirit of the Declaration," and how do they mean to use it; and what do they mean to draw from it in executing the Constitution? If they will point out one single object they can or design to accomplish through it, which other parties have not accomplished and cannot accomplish, by administering the government upon these principles of equal and exact justice to all the States and all the sections, in the purpose of promoting internal tranquillity and a more perfect Union, which have heretofore constituted the recognized creed of American statesmanship, we can then judge whether this parade of that instrument and that act in their platform has any meaning at all, and if so whether what is meant is needful or safe. We can then judge whether they have used a form of language intended to lead the passionate and unthinking to believe they intended something, and yet to leave themselves at liberty to protest, when examined on it, that they intended nothing. We can then judge whether this language of their creed is revolutionary and dangerous, or whether it merely —

"Palters with us in a double sense;  
That keeps the word of promise to our ear,  
And breaks it to our hope."

Holding then, Fellow-citizens, the clear and settled conviction that this combination of Northern States against the South is totally unnecessary for any purpose, I record my protest against the attempt to form it and give it power. No interest of freedom requires or will be helped by it. No aspects of slavery justify it. It will not give liberty to an acre, or to a man, one hour sooner than they will have it without. It will not shorten or lighten the rule or limit the spread of slavery in the least degree.

And is not this enough to deter you from an innovation so vast, an experiment so untried, an agency of influences so incapable to be calculated?

But what if, more than novel and more than needless, it proves only an enormous evil? What if it proves, of all the fruits that slavery has borne yet, the deadliest?

To many I know the bare imagination of such fear is matter of mirth. Seeing farther than I can see, or more sanguine, or more bold, for them it seems without terror; or promises only good, or a preponderance of good, or to be a necessary evil and a risk worth taking at the worst. Let me dare to avow that which I assuredly believe and deeply feel. To me, to many thoughtful men whose opinions are far more important than mine, there is occasion for the wisdom of fear.

The grounds and the particulars of the apprehension with which such men may regard this party, there is no need here and now to open at large.

We have come so near to the time when practical consequences are to take the place of our conjectures, — or to be scattered to the winds for ever or for a

space, if this party is defeated, — that I may forbear to display them in detail. I compress my convictions upon the whole subject of the proposed organization in a brief, articulate enumeration, and deliver them to your judgment.

They are : —

That in the exact sense in which the language has been used, and the thing been held out for warning in the Farewell Address, and by all the illustrious men of both schools of our politics, of Washington and of Jefferson, whom heretofore the American people has regarded as its safest and most sagacious councillors, — but on a scale more gigantic and swayed by passions far more incapable of control or measure than they have any of them feared, — it is a *Geographical party*, — confined exclusively in fact and in the nature of things to one of the two great regions into which the American States are distributed ; seeking objects, resting on principles, cultivating dispositions, and exerting an aggregate of influence and impressions calculated to unite all on one side of the line which parts the two regions against all on the other, upon the single subject on which, without the utmost exercise of forbearance, sense, and virtue, they cannot live at peace ; but for which they could not fail to be one people for ever ; by reason of which their disruption is possible at all times.

That in the sense of the language heretofore employed in American politics and history to describe this kind of thing there is not now and there never has been another Geographical party ; that both the other two which now divide or now unite the people,

— extending through every State North and South, professing political and industrial creeds, seeking objects, breathing a spirit and presenting candidates which every region may own alike, exerting each an aggregate of influence and impression calculated to foster an American feeling and not a sectional animosity ; — that both these — whatever else may be alleged against them — are national parties.

That the Geographical party, in its nature and spirit and immediate object of taking possession of the government, is founded in essential injustice to the section which it excludes; that in ethics and reason these States are partners, and stockholders, and contractors éach with all, — a partnership, an incorporation for all the good and glory and progress to which national life may aspire ; that therefore, although the will of the majority is the law of the mighty concern, yet that that requires a will obedient to justice ; and it is not just that a section, or a class of partners should associate among themselves by that organization called a party, to appropriate, to the practical exclusion of the rest, the government, and all the honor, profit, and power which belongs to its possession and administration, for an indefinite period, or for a presidential term, forasmuch as it violates or deserts the great implied agreement of the society — implied in the act of coming into the federal tie — that a property, a privilege, a power, a glory so large, so desirable, as the possession and administration of the government, shall pass about by a just and equitable rotation, and every section shall at all times have its share :

That if the manner in which the South has per-

formed its duties to the Union and to the Northern section of States be regarded as a whole, from the adoption of the Constitution to this day, it affords no justification of the attempt to take possession of the government, to the exclusion of that section of States; that her federal obligations, as such, have been discharged as the general fact; that she has set no example of such sectional exclusion as this; that her federal life and activities have been exerted in and through national parties, and as a branch or wing thereof; that she has supplied her proportionate share of capacity and valor to the service of the whole country, and that the bad language, and violent acts, and treasonable devices of her bad men create no case for the injustice here meditated:

That the repeal of the Missouri Compromise, and the disposition of the South to form Kansas into a slave State, while we condemn and deplore the former, and demand that the free-will of all its people shall be permitted to disappoint the latter, creating no necessity for the Geographical party, afford no excuse for the injustice meditated:

That such a party is dangerous to the internal tranquillity and general welfare of the United States, and that it tends by probable and natural consequence less or more remote to their separation.

Such was once, was ever, until to-day, the universal judgment of wise and honest men and true patriots; and by their counsels it is safe, moral, and respectable to abide.

That such a party, militant or triumphant, electioneering for the administration or in possession of it, must exert influences of wide and various evil,

even whether they do or do not reach to the overthrow of our system ; that it accustoms the people of each section to turn from contemplating that fair and grand ideal, the whole America, and to find their country in one of its fragments ; a revolution of the public affections, and a substitution of a new public life ; that it accustoms them to exaggerate, intensify, and put forward into every thing the one element of discord and diversity, and to neglect the cultivation of the less energetic elements of resemblance and union ; that, in fixing their attention on a single subject, and that one appealing simply to passion and emotion, to pride, to fear, to moral sensibilities, it exasperates and embitters the general temper, and sows the seeds of sentiments which we did not inherit, but which we may transmit, — sentiments of the vehement and energetic class which form and unform nations ; that it has to an extraordinary degree changed the tone of political discussion in this its own section, and made it intolerant, immoral, abusive, and insolent to those who differ, to an extent to which our party disputes have before afforded no example ; that it tends to place moderate men and national men, North and South, in a false position, by presenting to them the alternative of treason to the whole or treason to the section, — thus putting moderate counsels to shame, and destroying the influence which might help to restore the good temper and generous affection of the parts and the whole.

That while it is organized on the single basis of resistance to what it calls the slave power, it misconceives or disregards the true duties of the patriotism, philanthropy, and Christianity of the Free States in



the matter of slavery ; that it excites hatred of the master, but no prudent, nor reasonable, nor useful love of the slave ; that to hinder the mere extension of that relation over more area, although one good thing, is not the only one demanded ; that even that may be rendered worse than useless by the mode of seeking to effect it ; that whatsoever else we do or attempt, in whatsoever else our power comes short of our wishes in this regard, we are bound to know that discords and animosity on this subject between North and South, however promoted, do but retard the training for freedom and postpone the day of its gradual and peaceful attainment. If ye so hate the master, or so fear him, or so contend with him, that ye rivet the fetters of the slave or lengthen the term of his slavery, what reward have ye or has he ?

With these opinions, Fellow-citizens, I aim, in this election, at one single object ; I feel but one single hope, and one single fear. To me, all of you, all men who aim at that object and share that hope and that fear, seem allies, brothers, partners of a great toil, a great duty, and a common fate. For the hour, opinions upon other things, old party creeds adapted for quiet times, old party names and symbols and squabbles and differences about details of administration, seem to me hushed, suspended, irrelevant, trifling, — the small cares of a master of ceremonies in the palace on the morning of the revolution, about red heels, small-clothes, and buckles in the shoe, within an hour of the final storm. I care no more now whether my co-worker is a Democrat, or an American, or an old Whig, a Northern man or a California man, than you should care if a fire fell on

your city in winter and was devouring your workshops and streets one after another, and houseless women and children and old men and sick were seen hovering on the side of the river in the snow, whether he who passed or received your buckets was rocked in his cradle on this side of the sea or the other; whether he was an Arminian or Calvinist; a ten hours' labor man or a twenty-four hours' labor man. The election once over, we are our several selves again. "If we get well," the sick man said, when with difficulty reconciled to his enemy, both being supposed dying, "if we get well, it all goes for nothing."

Certainly somewhat there is in the position of all of us a little trying, — ties of years, which knit some of us together, are broken; cold regards are turned on us, and bitter language and slander, cruel as the grave, is ours.

"I cannot but remember such things were,  
That were most precious to me."

You have decided, Fellow Whigs, that you can best contribute to the grand end we all seek, by a vote for Mr. Fillmore. I, a Whig all my life, a Whig in all things, and, as regards all other names, a Whig to-day, have thought I could discharge my duty most effectually by voting for Mr. Buchanan and Mr. Breckenridge; and I shall do it. The justice I am but too happy in rendering you, will you deny to me? In doing this, I neither join the Democratic party, nor retract any opinion on the details of its policy, nor acquit it of its share of blame in bringing on the agitations of the hour. But there are traits, there are sentiments, there are specialties of capacity and

of function, that make a party as they make a man, which fit it in an extraordinary degree for special service in special crises,—to meet particular forms of danger by exactly adapted resistance—to fight fire with fire—to encounter by a sharper, more energetic, and more pronounced antagonism the precise type of evil which assails the State. In this way every great party successively becomes the saviour of the Constitution. There was never an election contest that in denouncing the particulars of its policy I did not admit that the characteristic of the Democratic party was this: that it had burned ever with that great master-passion this hour demands—a youthful, vehement, exultant, and progressive nationality. Through some errors, into some perils, it has been led by it; it may be so again; we may require to temper and restrain it, but to-day we need it all, we need it all!—the hopes—the boasts—the pride—the universal tolerance—the gay and festive defiance of foreign dictation—the flag—the music—all the emotions—all the traits—all the energies, that have won their victories of war, and their miracles of national advancement,—the country needs them all now to win a victory of peace. That done, I will pass again, happy and content, into that minority of conservatism in which I have passed my life.

To some, no doubt, the purport and tone of much that I have said may seem to be the utterance and the spirit of fear. Professors among their classes, preachers to implicit congregations, the men and women of emotion and sentiment, will mock at such apprehensions. I wish them joy of their discern-

ment ; of the depth of their readings of history ; of the soundness of their nerves. Let me excuse myself in the words of an English statesman, then and ever conspicuous for spirit and courage, the present prime minister of England, in a crisis of England far less urgent than this. " Tell me not that this is the language of intimidation ; tell me not that I am appealing to the fears instead of to the reason of the House. In matters of such high concern, which involve not personal and individual considerations, but the welfare of one's country, no man ought to be ashamed of being counselled by his fears. But the fears to which I appeal are the fears which the brave may acknowledge, and the wise need not blush to own. The fear to which I appeal is that early and provident fear which Mr. Burke so beautifully describes as being the mother of safety. ' Early and provident fear,' says Mr. Burke, ' is the mother of safety, for in that state of things the mind is firm and collected, and the judgment unembarrassed ; but when fear and the thing feared come on together and press upon us at once, even deliberation, which at other times saves us, becomes our ruin, because it delays decision ; and when the peril is instant, decision should be instant too.' To this fear I am not ashamed of appealing ; by this fear legislators and statesmen ought ever to be ruled ; and he who will not listen to this fear, and refuses to be guided by its counsel, may go and break his lances against windmills, but the court of chancery should enjoin him to abstain from meddling with public affairs."

They taunt you with being " Union-savers." I never thought that a sarcasm of the first magnitude,

but as men can but do their best, let it go for what they think it worth. I take for granted, Fellow-citizens, that you, that all of us, despise cant and hypocrisy in all things, — the feigning a fear not felt, the cry of peril not believed to exist, all meanness and all wickedness of falsehood in our dealings with the mind of the people. But I take it for granted, too, that we are above the cowardice and immorality of suppressing our sense of a danger, threatening precious interests and possible to be averted, from the dread of jokers of jokes ; and that we are above the folly of yielding that vast advantage which deep convictions give to earnest men in the dissensions of the Republic. Think what a thing it were to win the proud and sounding name in reality which they bestow in derision ! Suppose, only suppose it so for the argument, that there is danger, overestimated perhaps by the solicitude of filial love, but real or probable and less or more remote, — suppose, merely for the supposition, that Washington had reason to leave that warning against this kind of geographical combinations, *under all pretexts*, and that this one comes within the spirit and the terms of that warning, — suppose it to be so that we are right ; that vehement passions, eager philanthropy, moral emotions not patient nor comprehensive of the indispensable limitations of political duty ; that anger, pride, ambition, the lust of sectional power, the jealousy of sectional aggression, the pursuit even of ends just and desirable by means disproportioned and needless and exasperating — the excess and outbreak of virtues, by which more surely than by vices a country may be undone, — that these all working in an un-

usual conjuncture of affairs and state of public temper, have exposed and are exposing this Union to danger less or more remote, — and then suppose that by some word seasonably uttered, some vote openly and courageously given, some sincere conviction plainly expressed, we could do something to earn the reality of the praise which they give us in jest, — something for the safety, something for the peace, of this holy and beautiful house of our fathers, — something, were it ever so little, — would not this be compensation for the laughter of fools; ay! for alienated friendships, averted faces, and the serpent tooth of slander, — a thing worth dying for, and even worth having lived for?

## AMERICAN NATIONALITY.

AN ORATION DELIVERED IN BOSTON ON THE EIGHTY-SECOND  
ANNIVERSARY OF AMERICAN INDEPENDENCE, JULY 5, 1858.

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It is well that in our year, so busy, so secular, so discordant, there comes one day when the word is, and when the emotion is, "Our country, our whole country, and nothing but our country." It is well that law, our only sovereign on earth ; duty, not less the daughter of God, not less within her sphere supreme ; custom, not old alone, but honored and useful ; memories ; our hearts, — have set a time in which — scythe, loom, and anvil stilled, shops shut, wharves silent, the flag, — our flag unrent, — the flag of our glory and commemoration, waving on mast-head, steeple, and highland — we may come together and walk hand in hand, thoughtful, admiring, through these galleries of civil greatness ; when we may own together the spell of one hour of our history upon us all ; when faults may be forgotten, kindnesses revived, virtues remembered and sketched unblamed ; when the arrogance of reform, the excesses of reform, the strifes of parties, the rivalries of regions, shall give place to a wider, warmer, and juster sentiment ; when, turning from the corners and dark places of offensiveness, if such the candle lighted by malignity, or envy, or

censoriousness, or truth, has revealed anywhere, — when, turning from these, we may go up together to the serene and secret mountain-top, and there pause, and there unite in the reverent exclamation and in the exultant prayer, “How beautiful at last are thy tabernacles! What people at last is like unto thee! Peace be within thy palaces, and joy within thy gates! The high places are thine, and there shalt thou stand proudly, and innocently, and securely.”

Happy, if such a day shall not be desecrated by our service! Happy, if for us that descending sun shall look out on a more loving, more elevated, more united America! These, no less, no narrower, be the aims of our celebration. These always were the true aims of this celebration. In its origin, a recital or defence of the grounds and principles of the Revolution, now demanding and permitting no defence, all taken for granted, and all had by heart; then sometimes wasted in a parade of vain-glory, cheap and vulgar, sometimes profaned by the attack and repulse of partisan and local rhetoricians; its great work, its distinctive character, and its chief lessons, remain and vindicate themselves, and will do so while the eye of the fighting or the dying shall yet read on the stainless, ample folds the superscription blazing still in light, “Liberty and Union, now and for ever, one and inseparable.”

I have wished, therefore, as it was my duty, in doing myself the honor to join you in this act, to give some direction to your thoughts and feelings, suited at once to the nation's holiday, and seasonable and useful in itself. How difficult this may be, I know. To try, however, to try to do any thing, is



easy, and it is American also. Your candor will make it doubly easy, and to your candor I commit myself.

The birthday of a nation, old or young, and certainly if young, is a time to think of the means of keeping alive the nation. I do not mean to say, however, because I do not believe, that there is but one way to this, the direct and the didactic. For at last it is the spirit of the day which we would cherish. It is our great annual national love-feast which we keep ; and if we rise from it with hearts larger, beating fuller, with feeling purer and warmer for America, what signifies it how frugally, or how richly, or how it was spread ; or whether it was a strain on the organ, the trumpet tones of the Declaration, the prayer of the good man, the sympathy of the hour, or what it was, which wrought to that end ?

I do not, therefore, say that such an anniversary is not a time for thanksgiving to God, for gratitude to men, the living and the dead, for tears and thoughts too deep for tears, for eulogy, for exultation, for all the memories and for all the contrasts which soften and lift up the general mind. I do not say, for example, that to dwell on that one image of progress which is our history ; that image so grand, so dazzling, so constant ; that stream now flowing so far and swelling into so immense a flood, but which burst out a small, choked, uncertain spring from the ground at first ; that transition from the Rock at Plymouth, from the unfortified peninsula at Jamestown, to this America which lays a hand on both the oceans, — from that heroic yet feeble folk whose allowance to a man by the day was five kernels of corn, for three

months no corn, or a piece of fish, or a moulded remainder biscuit, or a limb of a wild bird ; to whom a drought in spring was a fear and a judgment, and a call for humiliation before God ; who held their breath when a flight of arrows or a war-cry broke the innocent sleep or startled the brave watching, — from that handful, and that want, to these millions, whose area is a continent, whose harvests might load the board of famishing nations, for whom a world in arms has no terror ; — to trace the long series of causes which connected these two contrasted conditions, the Providences which ordained and guided a growth so stupendous ; the dominant race, sober, earnest, constructive, — changed, but not degenerate here ; the influx of other races, assimilating, eloquent, and brave ; the fusion of all into a new one ; the sweet stimulations of liberty ; the removal by the whole width of oceans from the establishments of Europe, shaken, tyrannical, or burdened ; the healthful virgin world ; the universal progress of reason and art, — universal as civilization ; the aspect of revolutions on the human mind ; the expansion of discovery and trade ; the developing sentiment of independence ; the needful baptism of wars ; the brave men, the wise men ; the Constitution, the Union ; the national life and the feeling of union which have grown with our growth and strengthened with our strength, — I do not say that meditations such as these might not teach or deepen the lesson of the day. All these things, so holy and beautiful, all things American, may afford certainly the means to keep America alive. That vast panorama unrolled by our general history, or unrolling ; that eulogy, so just, so fervent, so

splendid, so approved ; that electric, seasonable memory of Washington ; that purchase and that dedication of the dwelling and the tomb, the work of woman and of the orator of the age ; that record of his generals, that visit to battle-fields ; that reverent wiping away of dust from great urns ; that speculation, that dream of her past, present, and future ; every ship builded on lake or ocean ; every treaty concluded ; every acre of territory annexed ; every cannon cast ; every machine invented ; every mile of new railroad and telegraph undertaken ; every dollar added to the aggregate of national or individual wealth, — these all, as subjects of thought, as motives to pride and care, as teachers of wisdom, as agencies for probable good, may work, may insure, that earthly immortality of love and glory for which this celebration was ordained.

My way, however, shall be less ambitious and less indirect. Think, then, for a moment, on AMERICAN NATIONALITY itself ; the outward national life and the inward national sentiment. Think on this ; *its nature, and some of its conditions, and some of its ethics*, — I would say, too, some of its dangers, but there shall be no expression of evil omen in this stage of the discourse ; and to-day, at least, the word is safety, or hope.

To know the nature of American nationality, examine it first by contrast, and then examine it in itself.

In some of the elemental characteristics of political opinion, the American people are one. These they can no more renounce for substance than the highest summit of the highest of the White Hills, than the

peak of the Alleghanies, than the Rocky Mountains can bow and cast themselves into the sea. Through all their history, from the dawn of the colonial life to the brightness of this rising, they have spoken them, they have written them, they have acted them, they have run over with them. In all stages, in all agonies, through all report, good and evil,—some learning from the golden times of ancient and mediæval freedom, Greece and Italy and Geneva, from Aristotle, from Cicero and Bodinus, and Machiavel and Calvin; or later, from Harrington and Sydney and Rousseau; some learning, all reinforcing it directly from nature and nature's God,—all have held and felt that every man was equal to every other man; that every man had a right to life, liberty, and the pursuit of happiness, and a conscience unfettered; that the people were the source of power, and the good of the people was the political object of society itself. This creed, so grand, so broad,—in its general and duly qualified terms, so true,—planted the colonies, led them through the desert and the sea of ante-revolutionary life, rallied them all together to resist the attacks of a king and a minister, sharpened and pointed the bayonets of all their battles, burst forth from a million lips, beamed in a million eyes, burned in a million bosoms, sounded out in their revolutionary eloquence of fire and in the Declaration, awoke the thunders and gleamed in the lightning of the deathless words of Otis, Henry, and Adams, was graven for ever on the general mind by the pen of Jefferson and Paine, survived the excitements of war and the necessities of order, penetrated and tinged all our constitutional composition and pol-

icy, and all our party organizations and nomenclature, and stands to-day, radiant, defiant, jocund, tiptoe, on the summits of our greatness, one authoritative and louder proclamation to humanity by Freedom, the guardian and the avenger.

But in some traits of our politics we are not one. In some traits we differ from one another, and we change from ourselves. You may say these are subordinate, executory, instrumental traits. Let us not cavil about names, but find the essences of things. Our object is to know the nature of American nationality, and we are attempting to do so, first, by contrasting it with its antagonisms.

There are two great existences, then, in our civil life, which have this in common, though they have nothing else in common, that they may come in conflict with the nationality which I describe; one of them constant in its operation, constitutional, healthful, auxiliary, even; the other rarer, illegitimate, abnormal, terrible; one of them a force under law; the other a violence and a phenomenon above law and against law.

It is first the capital peculiarity of our system, now a commonplace in our politics, that the affections which we give to country, we give to a divided object, the States in which we live and the Union by which we are enfolded. We serve two masters. Our hearts own two loves. We live in two countries at once, and are commanded to be capacious of both. How easy it is to reconcile these duties in theory; how reciprocally, more than compatible, how helpful and independent they are in theory; how in this respect our system's difference makes our system's

peace, and from these blended colors, and this action and counteraction, how marvellous a beauty, and how grand a harmony we draw out, you all know. Practically you know, too, the adjustment has not been quite so simple. How the Constitution attempts it is plain enough. There it is; *litera scripta manet*, and heaven and earth shall pass before one jot or one tittle of that Scripture shall fail of fulfilment. So we all say, and yet how men have divided on it. How they divided in the great convention itself, and in the very presence of Washington. How the people divided on it. How it has created parties, lost and given power, bestowed great reputations and taken them away, and colored and shaken the universal course of our public life! But have you ever considered that in the nature of things this must be so? Have you ever considered that it was a federative system we had to adopt, and that in such a system a conflict of head and members is in some form and to some extent a result of course? There the States were when we became a nation. There they have been for one hundred and fifty years—for one hundred and seventy years. Some power, it was agreed on all hands, we must delegate to the new government. Of some thunder, some insignia, some beams, some means of kindling pride, winning gratitude, attracting honor, love, obedience, friends, all men knew they must be bereaved, and they were so. But when this was done, there were the States still. In the scheme of every statesman they remained a component part, unannihilated, indestructible. In the scheme of the Constitution, of compromise itself, they remained a component part, indestructible. In the theories of all publicists

and all speculators they were retained, and they were valued for it, to hinder and to disarm that centralization which had been found to be the danger and the weakness of federal liberty. And then when you bear in mind that they are sovereignties, *quasi*, but sovereignties still; that one of the most dread and transcendent prerogatives of sovereignties, the prerogative to take life and liberty for crime, is theirs without dispute; that in the theories of some schools they may claim to be parties to the great compact, and as such may, and that any of them may, secede from that compact when by their corporate judgment they deem it to be broken fundamentally by the others, and that from such a judgment there is no appeal to a common peaceful umpire; that in the theories of some schools they may call out their young men and their old men under the pains of death to defy the sword point of the federal arm; that they can pour around even the gallows and the tomb of him who died for treason to the Union, honor, opinion, tears, and thus sustain the last untimely hour, and soothe the disembodied, complaining shade; that every one, by name, by line of boundary, by jurisdiction, is distinct from every other, and every one from the nation; that within their inviolate borders lie our farms, our homes, our meeting-houses, our graves; that their laws, their courts, their militia, their police, to so vast an extent protect our persons from violence, and our houses from plunder; that their heaven ripens our harvests; their schools form our children's mental and moral nature; their charities or their taxes feed our poor; their hospitals cure or shelter our insane; that their image, their opinions,

their literature, their morality are around us ever, a presence, a monument, an atmosphere — when you consider this you feel how practical and how inevitable is that antagonism to a single national life, and how true it is that we “buy all our blessings at a price.”

But there is another antagonism to such a national life, less constant, less legitimate, less compensated, more terrible, to which I must refer, — not for reprobation, not for warning, not even for grief, but that we may know by contrast nationality itself, — and that is, the element of sections. This, too, is old; older than the States, old as the Colonies, old as the churches that planted them, old as Jamestown, old as Plymouth. A thousand forms disguise and express it, and in all of them it is hideous. *Candidum seu nigrum hoc tu Romane caveto*. Black or white, as you are Americans, dread it, shun it! Springing from many causes and fed by many stimulations; springing from that diversity of climate, business, institutions, accomplishment, and morality, which comes of our greatness, and compels and should constitute our order and our agreement, but which only makes their difficulty and their merit; from that self-love and self-preference which are their own standard, exclusive, intolerant, and censorious of what is wise and holy; from the fear of ignorance, the jealousy of ignorance, the narrowness of ignorance; from incapacity to abstract, combine, and grasp a complex and various object, and thus rise to the dignity of concession and forbearance and compromise; from the frame of our civil polity, the necessities of our public life and the nature of our ambition, which forces all men not great men, — the



minister in his parish, the politician on the stump on election day, the editor of the party newspaper, — to take his rise or his patronage from an intense local opinion, and therefore to do his best to create or reinforce it; from our federative government; from our good traits, bad traits, and foolish traits; from that vain and vulgar hankering for European reputation and respect for European opinion, which forgets that one may know Aristophanes, and Geography, and the Cosmical Unity and Telluric influences, and the smaller morals of life, and all the sounding pretensions of philanthropy, and yet not know America; from that philosophy, falsely so called, which boasts emptily of progress, renounces traditions, denies God and worships itself; from an arrogant and flashy literature which mistakes a new phrase for a new thought, and old nonsense for new truth, and is glad to exchange for the fame of drawing-rooms and parlor windows, and the side-lights of a car in motion, the approval of time and the world; from philanthropy which is short-sighted, impatient and spasmodic, and cannot be made to appreciate that its grandest and surest agent, in His eye whose lifetime is Eternity, and whose periods are ages, is a nation and a sober public opinion, and a safe and silent advancement, reforming by time; from that spirit which would rule or ruin, and would reign in hell rather than serve in heaven; springing from these causes and stimulated thus, there is an element of regions antagonistic to nationality. Always I have said, there was one; always there will be. It lifted its shriek sometimes even above the silver clarion tone that called millions to unite for independence.

It resisted the nomination of Washington to command our armies; made his new levies hate one another; assisted the caballings of Gates and Conway; mocked his retreats, and threw its damp passing cloud for a moment over his exceeding glory; opposed the adoption of any constitution; and perverted by construction and denounced as a covenant with hell the actual Constitution when it was adopted; brought into our vocabulary and discussions the hateful and ill-omened words North and South, Atlantic and Western, which the grave warnings of the Farewell Address expose and rebuke; transformed the floor of congress into a battle-field of contending local policy; convened its conventions at Abbeville and Hartford; rent asunder conferences and synods; turned stated assemblies of grave clergymen and grave laymen into shows of gladiators or of the beasts of gladiators; checked the holy effort of missions, and set back the shadow on the dial-plate of a certain amelioration and ultimate probable emancipation, many degrees. Some might say it culminated later in an enterprise even more daring still; but others might deny it. The ashes upon that fire are not yet cold, and we will not tread upon them. But all will unite in prayer to Almighty God that we may never see, nor our children, nor their children to the thousandth generation may ever see it culminate in a Geographical party, banded to elect a Geographical President, and inaugurate a Geographical policy.

“Take any shape but that, and thou art welcome!”

But now, by the side of this and all antagonisms, higher than they, stronger than they, there rises.

colossal the fine sweet spirit of nationality, the nationality of America! See there the pillar of fire which God has kindled and lifted and moved for our hosts and our ages. Gaze on that, worship that, worship the highest in that. Between that light and our eyes a cloud for a time may seem to gather; chariots, armed men on foot, the troops of kings may march on us, and our fears may make us for a moment turn from it; a sea may spread before us, and waves seem to hedge us up; dark idolatries may alienate some hearts for a season from that worship; revolt, rebellion, may break out in the camp, and the waters of our springs may run bitter to the taste and mock it; between us and that Canaan a great river may seem to be rolling; but beneath that high guidance our way is onward, ever onward; those waters shall part, and stand on either hand in heaps; that idolatry shall repent; that rebellion shall be crushed; that stream shall be sweetened; that overflowing river shall be passed on foot dry shod, in harvest time; and from that promised land of flocks, fields, tents, mountains, coasts and ships, from North and South, and East and West, there shall swell one cry yet, of victory, peace, and thanksgiving!

But we were seeking the nature of the spirit of nationality, and we pass in this inquiry from contrast to analysis. You may call it, subjectively regarded, a mode of contemplating the nation in its essence, and so far it is an intellectual conception, and you may call it a feeling, towards the nation thus contemplated, and so far it is an emotion. In the intellectual exercise it contemplates the nation as it is one, and as it is distinguished from all other nations, and in the emo-

tional exercise it loves it, and is proud of it as thus it is contemplated. This you may call its ultimate analysis. But how much more is included in it! How much flows from it! How cold and inadequate is such a description, if we leave it there! Think of it first as a state of consciousness, as a spring of feeling, as a motive to exertion, as blessing your country, and as reacting on you. Think of it as it fills your mind and quickens your heart, and as it fills the mind and quickens the heart of millions around you. Instantly, under such an influence, you ascend above the smoke and stir of this small local strife; you tread upon the high places of the earth and of history; you think and feel as an American for America; her power, her eminence, her consideration, her honor, are yours; your competitors, like hers, are kings; your home, like hers, is the world; your path, like hers, is on the highway of empires; our charge, her charge, is of generations and ages; your record, her record, is of treaties, battles, voyages, beneath all the constellations; her image, one, immortal, golden, rises on your eye as our western star at evening rises on the traveller from his home; no lowering cloud, no angry river, no lingering spring, no broken crevasse, no inundated city or plantation, no tracts of sand, arid and burning, on that surface, but all blended and softened into one beam of kindred rays, the image, harbinger, and promise of love, hope, and a brighter day!

Think of it next, as an active virtue. Is not all history a recital of the achievements of nationality, and an exponent of its historical and imperial nature? Even under systems far less perfect, and influences

far less auspicious than ours, has it not lifted itself up for a time above all things meaner, vindicating itself by action, by the sublimity of a brave daring, successful or unsuccessful, by the sublimity of a working hope? How loose, for example, and how perfidious, was that union of the States of Greece in all times! How distinct were the nations of Attica, of Laconia, of Thessaly, of Bœotia, and how utterly insufficient the oracle, the Amphictyonic Assembly, the games, the great first epic, to restrain Athens and Sparta and Thebes from contending, by diplomacy, by fraud, by battle, for the mastery! And yet even in the historical age, when the storm of Eastern invasion swept that blue sea, and those laughing islands, and iron-bound coast, over, above, grander and more useful than the fear and policy which counselled temporary union, — were there not some, were there not many, on whose perturbed and towering motives came the thought of that great, common, Greek name; that race, kindred at last, though policy, though mines of marble, though ages had parted them, — that golden, ancient, polished speech, that inherited ancestral glory, that national Olympus, that inviolated, sterile, and separate earth, that fame of camps, that fire of camps which put out the ancient life of the Troy of Asia; and was it not such memories as these that burn and revel in the pages of Herodotus? Did not Sparta and Athens hate one another and fight one another habitually, and yet when those Lacedæmonian levies gazed so steadfastly on the faces of the fallen at Marathon, did they not give Greek tears to Athens and Greek curses to Persia, and in the hour of Plataea did they not stand together against the barbarian?

What else formed the secret of the brief spell of Rienzi's power, and burned and sparkled in the poetry and rhetoric of his friend Petrarch, and soothed the dark hour of the grander soul of Machiavel, loathing that Italy, and recalling that other day when "eight hundred thousand men sprang to arms at the rumor of a Gallic invasion"?

Is not Prussia afraid of Austria, and Saxony of Bavaria, and Frankfort jealous of Dresden, and so through the twenty-seven or eight or thirty States, great and small; and yet the dear, common fatherland, the old German tongue, the legend of Hermann, the native and titular Rhine flowing rapid, deep, and majestic, like the life of a hero of antiquity, — do not these spectacles and these traditions sometimes wake the nationality of Germany to action, as well as to life and hope?

But if you would contemplate nationality as an active virtue, look around you. Is not our own history one witness and one record of what it can do? This day and all which it stands for, — did it not give us these? This glory of the fields of that war, this eloquence of that revolution, this wide one sheet of flame which wrapped tyrant and tyranny and swept all that escaped from it away, for ever and for ever; the courage to fight, to retreat, to rally, to advance, to guard the young flag by the young arm and the young heart's blood, to hold up and hold on till the magnificent consummation crowned the work, — were not all these imparted as inspired by this imperial sentiment? Has it not here begun the master-work of man, the creation of a national life? Did it not call out that prodigious development of

wisdom, the wisdom of constructiveness which illustrated the years after the war, and the framing and adopting of the Constitution? Has it not, in the general, contributed to the administering of that government wisely and well since? Look at it! It has kindled us to no aims of conquest. It has involved us in no entangling alliances. It has kept our neutrality dignified and just. The victories of peace have been our prized victories. But the larger and truer grandeur of the nations, for which they are created and for which they must, one day, before some tribunal give account, what a measure of these it has enabled us already to fulfil! It has lifted us to the throne, and has set on our brow the name of the great Republic. It has taught us to demand nothing wrong, and to submit to nothing wrong; it has made our diplomacy sagacious, wary, and accomplished; it has opened the iron gate of the mountain, and planted our ensign on the great, tranquil sea; it has made the desert to bud and blossom as the rose; it has quickened to life the giant brood of useful arts; it has whitened lake and ocean with the sails of a daring, new, and lawful trade; it has extended to exiles, flying as clouds, the asylum of our better liberty; it has kept us at rest within all our borders; it has repressed without blood the intemperance of local insubordination; it has scattered the seeds of liberty, under law and under order, broadcast; it has seen and helped American feeling to swell into a fuller flood; from many a field and many a deck, though it seeks not war, makes not war, and fears not war, it has borne the radiant flag all unstained; it has opened our age of lettered glory; it has opened and honored the age of the industry of the people!

We have done with the nature of American nationality, with its contrasts, analysis, and fruits. I have less pleasure to remind you that it has conditions also, and ethics. And what are some of these? This is our next consideration.

And the first of these is that this national existence is, to an extraordinary degree, not a growth, but a production; that it has origin in the will and the reason, and that the will and the reason must keep it alive, or it can bear no life. I do not forget that a power above man's power, a wisdom above man's wisdom, a reason above man's reason, may be traced without the presumptuousness of fanaticism in the fortunes of America. I do not forget that God has been in our history. Beyond that dazzling progress of art, society, thought, which is of His ordaining, although it may seem to a false philosophy a fatal and inevitable flow under law,—beyond this I do not forget that there have been, and there may be again, interpositions, providential, exceptional, and direct, of that Supreme Agency without which no sparrow falleth. That condition of mind and of opinion in Europe, and more than anywhere else, in England, which marked the period of emigration, and bore flower, fruit, and seed after its kind in the new world; that conflict and upheaval and fermenting in the age of Charles the First, and the Long Parliament, and Cromwell, and Milton,—violated nature asserting herself; that disappearance of the old races here, wasting so mysteriously and so seasonably,—that drear death giving place as in nature to a better life; that long colonial growth in shade and storm and neglect, sheltered imperfectly by our relations to the mother country, and not yet



exposed to the tempest and lightning of the high places of political independence; burdened and poor, but yet evolving, germinant, prophetic; that insane common attack of one tyranny on so many charters; that succession of incompetent English commanders and English tactics against us in the war; that one soul breathed in a moment into a continent; the Declaration so timely, and so full of tone; the name, the services, the influence of Washington, — these are “parts of His ways,” and we may understand and adore them.

I do not forget either that in the great first step we had to take — that difficulty so stupendous, of beginning to mould the colonies into a nation, to overcome the prejudices of habit and ignorance, the petty cavils of the petty, the envy, the jealousy, the ambition, the fears of great men and little men; to take away partition walls, roll away provincial flags and hush provincial drums, and give to the young Republic *E Pluribus Unum*, to set out onward and upward on her Zodiac path, — I do not forget that in this, too, there were helps of circumstances for which no philosophy and no pride can make us unthankful.

Take one. Have you ever considered, speculating on the mysteries of our national being, how providentially the colonial life itself, in one respect, qualified for Union, and how providentially it came to pass that independence and nationality were born in one day? Suppose that, from the times when they were planted respectively, these colonies had been independent of one another, and of every one, — suppose this had been so for one hundred and fifty years, for one hundred and seventy years; that in the eye of

public law they had through all that time ranked with England, with France; that through all that time they had made war, concluded peace, negotiated treaties of commerce and of alliance, received and sent ministers, coined money, superintended trade, "done all other things which independent States of right may do;" and then that a single foreign power had sought to reduce them. I do not say that that power would have reduced them. I do not say that necessity, that prudence, which is civil necessity, would not have taught them to assist one another, and that in one sense, and that a just one, they would have fought and triumphed together. But when that victory was won and the cloud rolled off seaward, would these victors have flown quite so easily into a common embrace and become a single people? This long antecedent several independence; this long antecedent national life,—would it not have indurated them and separated them? These old high actions and high passions flowing diverse; these opposed banners of old fields; this music of hostile marches; these memories of an unshared past; this history of a glory in which one only had part,—do you think they could have been melted, softened, and beaten quite so easily into the unity of a common life? Might not the world have seen here, instead, another Attica, and Achaia and Lacedæmonia, and Messina, and Naples and Florence and Saxony? Did not that colonial life, in its nature—that long winter and lingering spring—discipline and prepare men for the future of their civil life, as an April snow enriches the earth it seems to bury? Did it not keep back the growths which might otherwise

have shot up into impracticable ranknesses and diversities? Did it not divert men from themselves to one another — from Massachusetts and Virginia and New York, to the forming or the possible America? Instead of stunting and enfeebling, did it not enlarge and strengthen? And when all that host flocked together, to taste together the first waters of independent life, and one high, common, proud feeling pervaded their ranks, lifted up all hearts, softened all hearts at once — and a Rhode Island General was seen to fight at the Eutaws; and a New Yorker, or one well beloved of Massachusetts, at Saratoga; and a Virginian to guide the common war, and a united army to win the victory for all — was not the transition, in a moment so sublime, more natural, less violent, more easy to the transcendent conception of nationality itself?

I do not deny, too, that some things subordinate and executory are a little easier than at first; that the friction of the machine is less somewhat; that mere administration has grown simpler; that organizations have been effected which may move of themselves; that departments have been created and set going, which can go alone; that the Constitution has been construed authoritatively; that a course, a routine has been established in which things — some things — may go on as now, without your thought or mind. Bold he is, moreover, I admit, not wise, who would undertake to determine what chance, or what Providence may do, and what man may do in the sustentation of national life. But remember, that is a false philosophy and that is no religion which absolves from duty. That is impiety which boasts of

a will of God, and forgets the business of man. Will and reason created, will and reason must keep. Every day, still, we are in committee of the whole on the question of the Constitution or no Constitution. Eternal vigilance is the condition of union, as they say it is of liberty. I have heard that if the same Omnipotence which formed the universe at first should suspend its care for a day, primeval chaos were come again. Dare we risk such a speculation in politics and act on it? Consider how new is this America of yours! Some there are yet alive who saw this infant rocked in the cradle. Some there are yet alive who beheld the first inauguration of Washington; many that felt how the tidings of his death smote on the general heart. Some now alive saw the deep broad trench first excavated, the stone drawn from the mountain-side, the mortar mingled, the Cyclopean foundation laid, the tears, the anthems, the thanksgiving of the dedication day. That unknown, therefore magnified, therefore magnificent original; that august tradition of a mixed human and Divine; that hidden fountain; the long, half-hidden flow glancing uncertain and infrequent through the opening of the old forest, spreading out, at last, after leagues, after centuries, into the clear daylight of history; the authoritative prescription; the legend, the fable, the tones of uncertain harps, the acquiescence of generations, rising in a long line to life as to a gift,—where for us are they? On all this architecture of utility and reason, where has time laid a finger? What angularity has it rounded; what stone has it covered with moss; on what salient or what pendant coigne of vantage has it built its

nest; on what deformity has its moonlight and twilight fallen? What enables us then to withhold for a moment the sustaining hand? The counsel of philosophy and history, of Cicero, of Machiavel, of Montesquieu, to turn to the first principles, to reproduce and reconstruct the ancient freedom, the masculine virtues, the plain wisdom of the original — is it not seasonable counsel eminently for you? Remember, your reason, your will, may keep, must keep what reason and will builded. Yours is the responsibility, yours, to country, to man, unshared, unconcealed.

I do not know that I need to say next that such a spirit of nationality reposing on will and reason, or, however produced, not spontaneous, and therefore to some extent artificial, demands a specific culture to develop it and to make it intense, sure and constant. I need not say this, because it is so plain; but it is important as well as plain. There is a love of country which comes uncalled for, one knows not how. It comes in with the very air, the eye, the ear, the instincts, the first taste of the mother's milk, the first beatings of the heart. The faces of brothers and sisters, and the loved father and mother, — the laugh of playmates, the old willow-tree, and well, and school-house, the bees at work in the spring, the note of the robin at evening, the lullaby, the cows coming home, the singing-book, the catechism, the visits of neighbors, the general training, — all things which make childhood happy, begin it; and then as the age of the passions and the age of the reason draw on, and love and the sense of home and security and property under law, come to life; — and as the story goes round, and as the book or the news-

paper relates the less favored lots of other lands, and the public and the private sense of a man is forming and formed, there is a type of patriotism already. Thus they had imbibed it who stood that charge at Concord, and they who hung dead on the retreat, and they who threw up the hasty and imperfect redoubt on Bunker Hill by night, set on it the blood-red provincial flag, and passed so calmly with Prescott and Putnam and Warren through the experiences of the first fire.

But now to direct this spontaneous sentiment of hearts to the Union, to raise it high, to make it broad and deep, to instruct it, to educate it, is in some things harder, some things easier; but it may be done; it must be done. She, too, has her spectacles; she, too, has her great names; she, too, has her food for patriotism, for childhood, for man. "Americans," said an orator of France, "begin with the infant in the cradle. Let the first word he lisps be Washington." Hang on his neck on that birthday, and that day of his death at Mount Vernon, the Medal of Congress, by its dark ribbon; tell him the story of the flag, as it passes glittering along the road; bid him listen to that plain, old-fashioned, stirring music of the Union; lead him when school is out at evening to the grave of his great-grandfather, the old soldier of the war; bid him, like Hannibal, at nine years old, lay the little hand on that Constitution and swear reverently to observe it; lift him up and lift yourselves up to the height of American feeling; open to him, and think for yourselves, on the relation of America to the States; show him upon the map the area to which she has extended herself; the

climates that come into the number of her months ; the silver paths of her trade, wide as the world ; tell him of her contributions to humanity, and her protests for free government ; keep with him the glad and solemn feasts of her appointment ; bury her great names in his heart, and into your hearts ; contemplate habitually, lovingly, intelligently, this grand abstraction, this vast reality of good ; and such an institution may do somewhat to transform this surpassing beauty into a national life, which shall last while sun and moon endure.

But there is another condition of our nationality of which I must say something, and that is that it rests on compromise. America, the Constitution, practicable policy, all of it, are a compromise. Our public is possible — it can draw its breath for a day — only by compromise.

There is a cant of shallowness and fanaticism which misunderstands and denies this. There is a distempered and ambitious morality which says civil prudence is no virtue. There is a philanthropy, — so it calls itself, — pedantry, arrogance, folly, cruelty, impiousness, I call it, fit enough for a pulpit, totally unfit for a people ; fit enough for a preacher, totally unfit for a statesman ; — which, confounding large things with little things, ends with means, subordinate ends with chief ends, one man's sphere of responsibility with another man's sphere of responsibility, seed-time with harvest, one science with another science, one truth with another truth, one jurisdiction with another jurisdiction, the span-long day of life with the duration of States, generals with universals, the principle with the practice, the Anglo-

Celtic-Saxon of America with the pavers of Paris, cutting down the half-grown tree to snatch the unripe fruit—there is a philanthropy which scolds at this even, and calls it names.

To such a spirit I have nothing to say, but I have something to say to you. It is remarked by a very leading writer of our times, Lord Macaulay, — ennobled less by title than by genius and fame, — “that compromise is the essence of politics.” That which every man of sense admits to be so true, as to have become a commonplace of all politics, is peculiarly true of our national politics. Our history is a record of compromises; and this freedom and this glory attest their wisdom and bear their fruits. But can these compromises stand the higher test of morality? Concessions for the sake of the nation; concessions for what the general opinion of America has pronounced concessions for America; concessions in measures; concessions in spirit for such an end; — are they a virtue?

I hope it is worth something, in the first place, that the judgment of civilization, collected from all its expression and all its exponents, has ranked concession for the keeping and well-being of the nation, among the whiter virtues. Starting with the grand central sentiment that patriotism is the noblest practical limitation of universal philanthropy, and reserving its enthusiasm, its tears, for the martyred patriot, and deeming his death the most glorious of deaths, it has given ever the first place to him whose firmness, wisdom, and moderation have built the State, and whose firmness, wisdom, and moderation keep the State. These traits it has stamped as virtues.



These traits it has stamped as great virtues. Poetry, art, history, biography, the funeral discourse, the utterance of that judgment, how universally have they so stamped them ! He whose harp, they said, attracted and fused savage natures ; he who gave to his people, not the best government, but the best that they would bear ; he who by timely adaptations elevated an inferior class to equality with a superior class, and made two nations into one ; he whose tolerance and comprehension put out the fires of persecution, and placed all opinions and religions on one plane before the law ; he whose healing counsels composed the distractions of a various empire, — he is the great good man of civilization. Ambition might have been his aim to some extent, but the result is a country, a power, a law. On that single title, it raised his statue, hung on it the garland that cannot die, kept his birthday by the firing of cannons, and ringing of bells, and processions, and thanks to God Almighty. He may not have been fortunate in war ; he may not have been foremost among men of genius ; but what Luxembourg, what Eugene, what Marlborough, heaped on his ashes such a monument, as the wise, just, cold, Dutch deliverer of England ? What Gates, what Lee, what Alexander, what Napoleon, won such honor, such love, such sacred and warm-felt approval as our civil father, Washington ? Does that judgment, the judgment of civilization, condemn Demosthenes, who would have invited Persia to help against Macedon ; or Cicero, who praised and soothed the young Octavius, to win him from Antony ; or the Calvinist William, who invited the papal Austria to fight with him against Louis XIV. ? Does it

dream of branding such an act as hypocrisy, or apostasy? Does it not recognize it rather as wisdom, patriotism, and virtue, masculine and intelligent? Does it not rather give him all honor and thanks, who could forego the sweets of revenge, rise above the cowardice of selfishness and the narrow memory of personal inapplicable antecedents, and for the love of Athens, of Rome, of England, of liberty, could magnanimously grasp the solid glory of great souls?

But this judgment of civilization, I maintain next, is a sound moral judgment. It is founded on a theory of duty which makes the highest utility to man the grandest achievement of man. It thinks that it discerns that the national life is the true useful human life. It thinks that it discerns that the greater includes the less; that beneath that order, that government, that law, that power, reform is easy and reform is safe, — reform of the man, reform of the nation. It ventures to hold that a nation is the grandest of the instrumentalities of morals and religion. It holds that under that wing, beneath that lightning, there is room, there is capacity, for humbly imitating His plan who sits in the circle of eternity, and with whom a thousand years are as one day; room, motive, capacity for labor, for culture, for preparation, for the preaching of the gospel of peace to all, for elevating by slow, sure, and quiet gradations down to its depths, down to its chains, society itself. Concession to keep such an agent is concession to promote such ends.

Do you remember what a great moralist and a great man, Archbishop Whately, said on this subject in the House of Lords? He was advocating concession to Catholics; and see how much stronger was

truth than the hatred of theologians. The biographer of Peel calls the speech a splendid piece of reasoning ; and it decided the vote : —

“So great is the outcry which it has been the fashion among some persons for several years past to raise against *expediency*, that the very word has become almost an ill-omened sound. It seems to be thought by many a sufficient ground of condemnation of any legislator to say that he is guided by views of expediency. And some seem even to be ashamed of acknowledging that they are, in any degree, so guided. I, for one, however, am content to submit to the imputation of being a votary of expediency. And what is more, I do not see what right any one who is not so has to sit in Parliament, or to take any part in public affairs. Any one who may choose to acknowledge that the measures he opposes are expedient, or that those he recommends are inexpedient, ought manifestly to have no seat in a deliberative assembly, which is constituted for the express and sole purpose of considering what measures are *conducive to the public good* ; — in other words, ‘expedient.’ I say, the ‘*public good*,’ because, of course, by ‘expediency’ we mean, not that which may benefit some individual, or some party or class of men, at the expense of the public, but what conduces to the good of the nation. Now this, it is evident, is the very object for which deliberative assemblies are constituted. And so far is this from being regarded, by our Church at least, as something at variance with religious duty, that we have a prayer specially appointed to be offered up during the sitting of the Houses of Parliament, that their

consultations may be ‘directed and prospered for the *safety, honor, and welfare* of our sovereign and her dominions.’ Now, if this be not the very definition of political expediency, let any one say what is.”

I have no doubt, however, that this judgment of civilization rests in part on the difficulty and the rarity of the virtue which it praises. We prize the difficult and the rare because they are difficult and rare; and when you consider how easy and how tempting it is to fall in with and float with the stream on which so many swim; how easy is that broad road and how sweet that approved strain; how easy and how tempting it is to please an assenting congregation, or circle of readers, or local public; how easy and how tempting to compound for sins which an influential man “is not inclined to, by damning those he has no mind to;” how easy to please those we see, and forget those out of sight; what courage, what love of truth are demanded to dissent; how hard it is to rise to the vast and varied conception, and to the one idea, which grasps and adjusts all the ideas; how easy it is for the little man to become great, the shallow man to become profound; the coward out of danger to be brave; the free-state man to be an anti-slavery man, and to write tracts which his friends alone read; when you think that even the laughter of fools and children and madmen, little ministers, little editors, and little politicians, can inflict the mosquito bite, not deep, but stinging; — who wonders that the serener and the calmer judgment allots “to patient continuance in well doing,” to resistance of the parts, to contention for the whole, to counsels of moderation and concession, “glory, honor, and immortality”?

“What nothing earthly gives or can destroy,  
The soul's calm sunshine, and the heartfelt joy.”

But this judgment of civilization is the judgment of religion too. You believe with the Bible, with Cicero, with the teachings of history, that God wills the national life. He wills civilization, therefore society, therefore law, therefore government, therefore nations. How do we know this? Always, from the birth of the historical time, civilized man led the national life. Therein always the nature God has given him has swelled to all its perfection, and has rendered the worthiest praise to the Giver of the gift. He who wills the end wills the indispensable means; he wills the means which his teachers, nature and experience, have ascertained to be indispensable. Then he wills these means, concession, compromise, love, forbearance, help, because his teachers, nature and experience, have revealed them to be indispensable. Then he wills our national life. Then he wills the spirit which made it and which keeps it. Do you dare to say, with President Davies, that you believe that Providence raised up that young man, Washington, for some great public service, — with the spectator of that first inauguration, that you believe the Supreme Being looked down with complacency on that act, — with that Senate which thanked God that he had conducted to the tomb a fame whiter than it was brilliant; and yet dare to say that the spirit of Washington ought not to be your spirit, his counsels your guide, his Farewell Address your scripture of political religion? But what does he say? I need not repeat it, for you have it by heart; but what said a greater than he? “Render unto Cæsar the things

which are Cæsar's." Render under Cæsar the things that are Cæsar's, and thus, to that extent, you "render unto God the things which are God's." Be these words our answer and our defence. When they press us with the commonplaces of anti-slavery, be these words of wisdom our answer. Say to them, "Yes, I thank God I keep no slaves. I am sorry there is one on earth; I am sorry even that there is need of law, of subordination, of order, of government, of the discipline of the schools, of prisons, of the gallows; I wonder at such a system of things; piously I would reform it; but beneath that same system I am an American citizen; beneath that system, this country it is my post to keep; while I keep her there is hope for all men, for the evil man, for the intemperate man, for slaves, for free, for all; that hope your rash and hasty hand would prostrate; that hope my patience would advance." Have they done? Are they answered?

There are other conditions and other laws of our nationality on which there needs to be said something if there were time. That it is not and that it cannot come to good, that it cannot achieve its destiny, that it cannot live even, unless it rests on the understanding of the State, you know. How gloriously this is anticipated by our own Constitution, you remember. How well said Washington — who said all things as he did all things, well — "that in proportion as governments rest on public opinion, that opinion must be enlightened." There must then be intelligence at the foundation. But what intelligence? Not that which puffeth up, I fancy, not flippancy, not smartness, not sciolism, whose fruits, whose expression are

vanity, restlessness, insubordination, hate, irreverence, unbelief, incapacity to combine ideas, and great capacity to overwork a single one. Not quite this. This is that little intelligence and little learning which are dangerous. These are the characteristics, I have read, which pave the way for the downfall of States ; not those on which a long glory and a long strength have towered. These, more than the general of Macedon, gave the poison to Demosthenes in the Island Temple. These, not the triumvirate alone, closed the eloquent lips of Cicero. These, before the populous North had done it, spread beneath Gibraltar to the Libyan sands in the downward age. These, not Christianity, not Goth, not Lombard, nor Norman, rent that fair one Italy asunder, and turned the garden and the mistress of the earth into a school, into a hiding place, of assassins, — of spies from Austria, of spies from France, with gold to buy and ears to catch and punish the dreams of liberty whispered in sleep, and shamed the memories and hopes of Machiavel and Mazzini, and gave for that joy and that beauty, mourning and heaviness. This is not the intelligence our Constitution means, Washington meant, and our country needs. It is intelligence which, however it begins, ends with belief, with humility, with obedience, with veneration, with admiration, with truth ; which recognizes and then learns and then teaches the duties of a comprehensive citizenship ; which hopes for a future on earth and beyond earth, but turns habitually, reverently, thoughtfully to the old paths, the great men, the hallowed graves of the fathers ; which binds in one bundle of love the kindred and mighty legend of

revolution and liberty, the life of Christ in the Evangelists, and the Constitution in its plain text; which can read with Lord Chatham, Thucydides and the stories of master States of antiquity, yet holds with him that the papers of the Congress of 1776 were better; whose patriotism grows warm at Marathon, but warmer at Monmouth, at Yorktown, at Bunker Hill, at Saratoga; which reforms by preserving, serves by standing and waiting, fears God and honors America.

I had something to say more directly still on the ethics of nationality, on the duty of instructing the conscience; on the crimes of treason, and slander, and fraud, that are committed around us in its name; on the shallowness and stupidity of the doctrine that the mere moral sentiments, trained by a mere moral discipline, may safely guide the complex civil life; of the teachers and studies which they need to fit them for so precious, difficult, and delicate a dominion; of the high place in the scale of duties, which, thus fitted, they assign to nationality; of the judgment which, thus fitted, they would apply to one or two of the commonplaces and practices of the time. But I pass it all to say only that these ethics teach the true subordination, and the true reconciliation of apparently incompatible duties. These only are the casuists, or the safest casuists for us. Learn from them how to adjust this conflict between patriotism and philanthropy. To us, indeed, there seems to be no such conflict, for we are philanthropists in proportion as we are unionists. Our philanthropy, we venture to say, is a just philanthropy. That is all. — It loves all men, it helps all men, it respects all



rights, keeps all compacts, recognizes all dangers, pities all suffering, ignores no fact, master and slave it enfolds alike. It happens thus that it contracts the sphere of our duty somewhat, and changes not the nature, but the time, the place, the mode of performing it. It does not make our love cold, but it makes it safe; it naturalizes it, it baptizes it into our life; it circumscribes it within our capacities and our necessities; it sets on it the great national public seal. If you say that thus our patriotism limits our philanthropy, I answer that ours is American philanthropy. Be this the virtue we boast, and this the name by which we know it. In this name, in this quality, find the standard and the utterance of the virtue itself. By this, not by broad phylacteries and chief seats, the keener hate, the gloomier fanaticism, the louder cry, judge, compare, subordinate. Do they think that nobody is a philanthropist but themselves? We, too, look up the long vista and gaze, rapt, at the dazzling ascent; we, too, see towers rising, crowned, imperial, and the tribes coming to bend in the opening of a latter day. But we see peace, order, reconciliation of rights along that brightening future. We trace all along that succession of reform, the presiding instrumentalities of national life. We see our morality working itself clearer and clearer; one historical and conventional right or wrong, after another, falling peacefully and still; we hear the chain breaking, but there is no blood on it, none of his whom it bound, none of his who put it on him; we hear the swelling chorus of the free, but master and slave unite in that chorus, and there is no discordant shriek above the harmony; we see and

we hail the blending of our own glory with the eternal light of God, but we see, too, shapes of love and beauty ascending and descending there as in the old vision!

Hold fast this hope; distrust the philanthropy, distrust the ethics which would, which must, turn it into shame. Do no evil that good may come. Perform your share, for you have a share, in the abolition of slavery; perform your share, for you have a share, in the noble and generous strife of the sections—but perform it by keeping, by transmitting, a UNITED, LOVING, AND CHRISTIAN AMERICA.

But why, at last, do I exhort, and why do I seem to fear, on such a day as this? Is it not the nation's birthday? Is it not this country of our love and hopes, which celebrates it? This music of the glad march, these banners of pride and beauty, these memories so fragrant, these resolutions of patriotism so thoughtful, these hands pressed, these congratulations and huzzaings and tears, this great heart throbbing audibly,—are they not hers, and do they not assure us? These forests of masts, these singing workshops of labor, these fields and plantations whitening for the harvest, this peace and plenty, this sleeping thunder, these bolts in the closed, strong talon, do not they tell us of her health, her strength, and her future? This shadow that flits across our grasses and is gone, this shallow ripple that darkens the surface of our broad and widening stream, and passes away, this little perturbation which our telescopes cannot find, and which our science can hardly find, but which we know cannot change the course or hasten the doom of one star; have these any terror for us? And He

who slumbers not, nor sleeps, who keeps watchfully the city of his love, on whose will the life of nations is suspended, and to whom all the shields of the earth belong, our fathers' God, is he not our God, and of whom, then, and of what shall we be afraid?

## SPEECH ON THE BIRTHDAY OF DANIEL WEBSTER, JANUARY 18, 1859.

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[THE seventy-seventh anniversary of the birthday of Daniel Webster was commemorated by a banquet at the Revere House. At the conclusion of the feast, and after the opening address by the president of the day, Hon. Caleb Cushing, Mr. Choate, being called upon, spoke as follows:]

I WOULD not have it supposed for a moment that I design to make any eulogy, or any speech, concerning the great man whose birthday we have met to observe. I hasten to assure you that I shall attempt to do no such thing. There is no longer need of it, or fitness for it, for any purpose. Times have been when such a thing might have been done with propriety. While he was yet personally among us, — while he was yet walking in his strength in the paths or ascending the heights of active public life, or standing upon them, — and so many of the good and wise, so many of the wisest and best of our country, from all parts of it, thought he had title to the great office of our system, and would have had him formally presented for it, it was fit that those who loved and honored him should publicly — with effort, with passion, with argument, with contention, — recall the series of his services, his life of elevated

labors, finished and unfinished, display his large qualities of character and mind, and compare him, somewhat, in all these things, with the great men, his competitors for the great prize. Then was there a battle to be fought, and it was needful to fight it.

And so, again, in a later day, while our hearts were yet bleeding with the sense of recent loss, and he lay newly dead in his chamber, and the bells were tolling, and his grave was open, and the sunlight of an autumn day was falling on that long funeral train, I do not say it was fit only, it was unavoidable, that we all, in some choked utterance and some imperfect, sincere expression, should, if we could not praise the patriot, lament the man.

But these times have gone by. The race of honor and duty is for him all run. The high endeavor is made, and it is finished. The monument is builded. He is entered into his glory. The day of hope, of pride, of grief, has been followed by the long rest; and the sentiments of grief, pride, and hope, are all merged in the sentiment of calm and implicit veneration. We have buried him in our hearts. That is enough to say. Our estimation of him is part of our creed. We have no argument to make or hear upon it. We enter into no dispute about him. We permit no longer any man to question us as to what he was, what he had done, how much we loved him, how much the country loved him, and how well he deserved it. We admire, we love, and we are still. Be this enough for us to say.

Is it not enough that we just stand silent on the deck of the bark fast flying from the shore, and turn and see, as the line of coast disappears, and the head-

lands and hills and all the land go down, and the islands are swallowed up, the great mountain standing there in its strength and majesty, supreme and still — to see how it swells away up from the subject and fading vale? to see that, though clouds and tempests, and the noise of waves, and the yelping of curs, may be at its feet, eternal sunshine has settled upon its head?

There is another reason why I should not trust myself to say much more of him to-night. It does so happen that you cannot praise Mr. Webster for that which really characterized and identified him as a public man, but that you seem to be composing a *tract for the times*.

It does so happen that the influence of his whole public life and position was so *pronounced*, — so to speak, — so defined, sharp, salient; the spirit of his mind, the tone of his mind, was so unmistakable and so peculiar; the nature of the public man was so transparent and so recognized everywhere, — that you cannot speak of him without seeming to grow polemical, without seeming to make an attack upon other men, upon organizations, upon policy, upon tendencies. You cannot say of him what is true, and what you know to be true, but you are thought to be disparaging or refuting somebody else.

In this way there comes to be mingled with our service of the heart something of the discordant, incongruous, and temporary. So it is everywhere. They could not keep the birthday of Charles James Fox, but they were supposed to attack the grave of Pitt, and aim at a Whig administration and a reform bill. An historian can hardly admire the architect-

ure of the age of Pericles, or find some palliation of the trial of Socrates, but they say he is a Democrat, a Chartist, or a friend of the secret ballot. The marvellous eloquence, and noble, patriotic enterprise of our Everett, can scarcely escape such misconstruction of small jealousy.

Yes ; sad it is, but true, that you cannot say here to-night what you think, what you know, what you thank God for, about the Union-loving heart, the Constitution-defending brain, the moderation-breathing spirit, the American nature of the great man, — our friend, — but they call out you are thinking of them ! So powerful is the suggestion of contrast, and such cowards does conscience make of all bad men !

I feel the effect of this embarrassment. I protest against such an application of any thing I say. But I feel, also, that it will be better than such a protest, to sum up, in the briefest and plainest and soberest expression, what I deem will be the record of history, — let me hope, with the immunities of history, concerning this man, as a public man.

He was, then, let me say, of the very foremost of great American Statesmen. This is the class of greatness in which he is to be ranked. As such, always, he is to be judged. What he would have been in another department of thought ; how high he would have risen under other institutions ; what he could have done if politics had not turned him from calm philosophy aside ; whether he were really made for mankind, and to America gave up what was meant for mankind ; how his mere naked intellectual ability compared with this man's or that, — is a needless and vain speculation.

I may, however, be allowed to say that, although I have seen him act, and heard him speak, and give counsel, in very high and very sharp and difficult crises, I always felt that if more had been needed more would have been done, and that half his strength or all his strength he put not forth. I never saw him make what is called an effort without feeling that, let the occasion be what it would, he would have swelled out to its limits. There was always a reservoir of power of which you never sounded the depths, certainly never saw the bottom; and I cannot well imagine any great historical and civil occasion to which he would not have brought, and to which he would not be acknowledged to have brought, an adequate ability. He had wisdom to have guided the counsels of Austria as Metternich did, if he had loved absolutism as well; skill enough and eloquence enough to have saved the life of Louis the Sixteenth, if skill and eloquence could have done it; learning, services, character, and dignity enough for a Lord Chancellor of England, if wisdom in counsel and eloquence in debate would have been titles to so proud a distinction.

But his class is that of American Statesmen. In that class he is to find his true magnitude. As he stood there he is to take his place for ever in our system. To that constellation he has gone up, to that our telescopes or our naked eye are to be directed, and there I think he shines with a large and unalterable glory.

In every work regard the writer's end. In every life regard the actor's end.

In saying this I do not mean to ignore or disparage



his rank, also, in the profession of the law. In that profession he labored, by that he lived, of that he was proud, to that he brought vast ability and exquisite judgment, and in that he rose at last to the leadership of the bar. But I regard that, rather, as a superinduced, collateral, accessional fame, a necessity of greatness, — a transcendent greatness, certainly ; but it was not the labor he most loved, it was not the fame which attracts so many pilgrims to his tomb, and stirs so many hearts when his name is sounded. There have been Bacons, and Clarendons, and one Cicero, and one Demosthenes, who were lawyers. But they are not the Bacons, the Clarendons, they are not the Cicero and the Demosthenes of historical fame.

It is a noble and a useful profession ; but it was not large enough for the whole of Webster.

In that class, then, let me say next, — which is the class of American statesmen, — of foremost American statesmen, — it happened to him to be thrown on our third American age. This ever must be regarded when we would do him justice, or understand him, or compare him with others.

It is easy to say and to see that, if his lot had made him a member of the Revolutionary Congress, he would have stood by the side of Washington and Jefferson, Adams and Chase, and that from his tongue, too, Independence would have thundered. It is easy to say and see that it would not have been that his lips were frozen and his arm palsied ; that the cabals of Gates, of Conway, could have gone undetected there ; that a foolish fear of long enlistments would have delayed the great strife ; that so many

retreats, pinched winter-quarters, blood traced on the snow by the naked feet of bleeding men, would have proved that the want of funds and the fear of unpopularity were too strong for the sentiment of Liberty!

It is easy to say, too, and to see that if he had been thrown on the constitutional age he would have been found with Hamilton, Jay, and Madison; that his pen, too, and his tongue would have leaped to impress that generation with the nature and necessity of that great work; that he would have risen to the utmost height of the great argument, and that on the pillars, on the foundation-stones of that Constitution which he first read on the little pocket-handkerchief, his name, his wisdom, too, would now be found chiselled deeply. But he was cast on the third age of our history, and how was his part acted there?

In this class, then, let me say further, of the foremost of great American statesmen, I say there was never one, of any one of our periods, — I shall not except the highest of the first period, — of a more ardent love of our *America, and of the whole of it*; of a truer, deeper, broader sense of what the Farewell Address calls the Unity of Government, — its nature, spring, necessity, — and the means of securing it; or who said more, and did more to sink it deep in the American heart. Of the relations of the States to our system, — of their powers, their rights, their quasi sovereignty, — he said less, not because he thought less or knew less, but because he saw there was less necessity for it. But the Union, the Constitution, the national federal life, the American

name, — *E Pluribus Unum*, — these filled his heart, these dwelt in his habitual speech.

This, I think, exactly, was his specialty. To this master passion and master sentiment his whole life was subordinated carefully. He was *totus in illis*. He began his public course in opposition to the party which had the general government; and he dearly loved New England; but he “had nothing to do with the Hartford Convention.” He drew his first breath in a Northern State and a Northern region; his opinions were shaped and colored by that birthplace and by that place of residence; the local interests he powerfully advocated; for that advocacy he has even been taunted and distrusted. But it was because he thought he saw, and just so far as he saw, that the local interest was identical with the national interest, and that that advocacy was advocacy for the whole, and that policy was American policy, that he espoused it.

Some aged clergyman has been reported to have said, that the sermon — whatever the theology, whatever the ability — was essentially defective, if it did not leave on the hearer the impression that the preacher loved his soul, and that God and the Saviour loved it. I never heard him make a speech, — a great speech, — whatever were the topic, or the time, that did not leave the impression that he loved nothing, desired nothing, so much as the good and glory of America; that he knew no North and no South; that he did not seem to summon around him the whole brotherhood of States and men, and hold them all to his heart! This gave freshness and energy to all his speech. This set the

tune to the universal harmony. Even his studies revealed this passion. He knew American history by heart, as a statesman, not as an antiquary, should know it; the plain, noble men, the high aims, and hard fortunes of the colonial time; the agony and the glory of the Revolutionary War, and of the age of the Constitution, were all familiar to him; but chiefly he loved to mark how the spirit of national life was evolving itself all the while; how the colonies grew to regard one another as the children of the same mother, and therefore fraternally; how the common danger, the common oppression, of the ante-revolutionary and revolutionary period served to fuse them into one; how the Constitution made them formally one; and how the grand and sweet and imperial sentiment of a united national life came at last to penetrate and warm that whole vast and various mass, and move it as a soul.

“ Spiritus intus alit, totamque infusa per artus  
Mens agitat molem, et magno se corpore miscet.”

In this master sentiment I *find the key* to all his earlier and all his later policy and opinions. Through his whole lifetime, this is the central principle that runs through all, accounts for all, reconciles all.

In the department of a mere adventurous and originating policy, I do not think he desired to distinguish himself. In the department of a restless and arrogant and clamorous reform, I know he did not wish to distinguish himself. The general tendency of his mind, the general scope of his politics, were towards conservation.

This rested on a deep conviction that, if the government continued to exist, and this national life

continued to be kept, and if these States were held in peace together, the growth of it, the splendid future of it, were as certain as the courses of the seasons. He thought it wiser, therefore, always, that we should grow great under the Union, than that we should be forced to grow great by legislation. He thought it wiser, therefore, at first, — local opinion may have, or may not have, a little influenced this, — to let America grow into a manufacturing people, than that she should be forced to become so. But when that policy was adopted, and millions had been invested under it, and a vast, delicate, and precious interest had grown up, then it seemed to him that just so much had been added to our American life, that for so much we had gone forward in our giant course, and he would guard it and keep it.

He did not favor a premature and unprincipled expansion of territory; though he saw and rejoiced to see, if America continued just, and continued brave, and the Union lasted, how widely — to what Pacific and tropic seas — she must spread, — and how conspicuous a fame of extent was spread out before her. But when the annexation was made and the line drawn and the treaty signed, then he went for her, however “butted and bounded;” then he kept steady to the compact of annexation; then there was no date so small, no line so remote, that he would not plant on it the ensign all radiant, that no foreign aggression might come! *Here you have the Websterianism of Webster.*

I cannot trace this great central principle and this master sentiment and trait which is the characteristic of his whole politics, through the last years of his life,

without awakening feelings, some feelings unsuited to the time. I believe, you believe, the country and history will believe, that all he said and all he did, he said and did out of a "full heart for the Constitution," and that the "austere glory" of that crisis of his America and of himself will shine his brightest glory. When some years have passed away, if not yet, that civil courage, that wisdom which combines, constructs, and reconciles; which discerns that in the political world, in our political world especially, no theory and no idea may be pressed to its extreme, and that common sense, good temper, good nature, and not the pedantry of logical abstraction, and the clamor of intemperate sectional partisanship, are the true guides of life; and that deemed a gloomy foolishness, refuted by our whole history, that because in this cluster of States there are different institutions, a different type of industry, different moral estimates, they cannot live together and grow together to a common nationality by forbearance and reason; that an honest, just, and well-principled patriotism is a higher moral virtue than a virulent and noisy philanthropy; and that to build and keep this nation is the true way to serve God and serve man, — these traits and these opinions will be remembered as the noblest specimen of the genius and wisdom of Webster. Better than any other passage, or any other catastrophe, these will be thought most happily to have "concluded the great epic of his life." I refer you for them all to his immortal volumes; lasting as the granite of our mountains, lasting as the pillars of our capitol and our Constitution.

They say he was ambitious! Yes; as Ames said

of Hamilton, "there is no doubt that he desired glory; and that, feeling his own force, he longed to deck his brow with the wreath of immortality." But I believe he would have yielded his arm, his frame to be burned, before he would have sought to grasp the highest prize of earth by any means, by any organization, by any tactics, by any speech, which in the least degree endangered the harmony of the system.

They say, too, he loved New England! He loved New Hampshire — that old granite world — the crystal hills, gray and cloud-topped; the river, whose murmur lulled his cradle; the old hearth-stone; the grave of father and mother. He loved Massachusetts, which adopted and honored him — that sounding sea-shore, that charmed elm-tree seat, that reclaimed farm, that choice herd, that smell of earth, that dear library, those dearer friends; but the "sphere of his duties was his true country." Dearly he loved you, for he was grateful for the open arms with which you welcomed the stranger and sent him onwards and upwards.

But when the crisis came, and the winds were all let loose, and that sea of March "wrought and was tempestuous," then you saw that he knew even you only as you were, American citizens; then you saw him rise to the true nature and stature of American citizenship; then you read on his brow only what he thought of the whole Republic; then you saw him fold the robes of his habitual patriotism around him, and counsel for all — for all.

So then he served you. — "to be pleased with his service was your affair, not his."

And now what would he do, what would he be if

he were here to-day? I do not presume to know. But what a loss we have in him.

I have read that in some hard battle, when the tide was running against him, and his ranks were breaking, some one in the agony of a need of generalship exclaimed, "Oh for an hour of Dundee!"

So say I, Oh for an hour of Webster now!

Oh for one more roll of that thunder inimitable!

One more peal of that clarion!

One more grave and bold counsel of moderation!

One more throb of American feeling!

One more Farewell Address! And then might he ascend unhindered to the bosom of his Father and his God.

But this is a vain wish, and I can only offer you this sentiment —

*The birthday of Webster* — then best, then only well celebrated — when it is given as he gave that marvellous brain, that large heart, and that glorious life, to our country, our whole country, our united country.

















